For Sale.

LANE, CRAWFORD & Co.

HONGKONG, WEDNESDAY, JUNE 9, 1880.

Ex-"GLENOROHY,"

CHIT BOOKS, with and without Covers.

Walnut Stationery CASES and

MOLLISCORIUM for Harness.

DINNER and DESSERT SERVICES.

Cut GOLD LEAF TOBACCO.

COIR MATS and MATTING.

Do. PAILS and TONGS.

TABLE and FANCY GLASSWARE.

Cash's Friction TOWELS

STANDS,

American FIRE GRATES, fitted with Summer Fronts.

MANILA CIGARS and CHEROOTS.

Silicated CARBON FILTERS.

Do. PITCHERS.

Metablished February, 1845.

Intimations.

CANTON INSURANCE OFFICE.

CHAREHOLDERS in the above OFFICE Order that the DISTRIBUTION of the be arranged. Returns not rendered prior to the 15th June next, will be adjusted by

NOTICE TO MARINERS. No. 118.

SWATOW DISTRICT.

White Light eclipsed for about 4 seconds every minute from S. 10° E. round by S. and W. to N. 81° E., and a fixed Red Light eclipsed for about 4 seconds every minute from N. 85° E. till it is shut in by Ma-urh Point. The bearings are Magnetic and from Seaward. The Light is elevated 171 feet above the

Wall are painted white. Approximate Position :-- Lat. 23° 14' Long. 116° 47' By order of the Inspector-General of

Engineer's Office, Swatow, Blat May, 1880.

NOTICE TO MARINERS. No. 119.

SWATOW DISTRICT. SUGAR LOAP ISLAND LIGHT-HOUSE.

NOITON IS LOND LIGHT WAS exhibited. LOAF ISLAND LIGHT was exhibited for the First Time at Sunset of the 29th

of the Sixth Order, shewing a fixed White Light varied by Red Flashes at half minute intervals and visible all round. The Light is elevated 200 feet above the level of the sea, and, in clear weather, it should be visible 8 nautical miles. The Tower is round, of iron, 94 feet high and with a total height from its base

to the lantern vane of 211 feet. The Tower and Lantern Dome are painted red and the Dwellings white. Approximate Position:--Lat. 23° 19' 8" Long. 116° 44′ 25″

> DAVID M. HENDERSON. Engineer-in-Ohief.

Imperial Maritims Customs. Engineer's Office. Swatow, Slat May, 1880.

In the Matter of the Estate of KWOK

chant, Deceased.

AUHEONG, late of Hongkong, Mer-

NTOTICE is hereby given, that all Credi-

CLAIMS or DEMANDS upon or against the Estate of KWOK ACHEONG, who died at Victoria in the Island of Hongkong on the 22nd day of April, 1880, and whose Will was duly proved by Kwok YIN KAI and Kwok Yung Po, of No. 8, Queen's Road West, Victoria, aforesaid, in the Supreme Court of Hongkong, in its Probate Jurisdiction on the 30th day of April, 1880, are hereby required to send, in writing, the particulars of their Claims or Demands to the said Kwoz Yin Kai and KWOK YUNG Po at their residence, aforesaid, or to Messrs BRERETON & WOTTON. the Solicitors of the said Kwor YIN Kai and Kwon Yung Po, at their Office, 29, Queen's Road, Victoria, aforesaid on or before the Lat day of ceptember, 1880. And Notice is hereby also given, that at the expiration of the last mentioned day the said KWOR YIN KATANG KWOR YUNG PO will proceed to distribute the Assets of the said Kwox Achsone, amongst the Parties entitled thereto having regard to the Claims of which the said Kwor YIN KAI and MOK I UNG PO OF their Bolistions the said Means BREEFFOR & WOTTON have then had notice; and that the said KWOK YIN Kar and Kwok Your Po will not be liable for the Assets, or any part thereof so dis-tributed, to any person of whose Claim the said Kwok YIN KAI and Kwok YUNG Po had not had notice at the time of the distribution. Detect this 1st day of May, 1880.

BRERETON & WOTTON, 29, Queen's Road. Hangkong.

DYNAMITE, FUSES, DETONATORS

TIKOM NOBEL'S EXPLOSIVES CO. any Quantity on application to THE BORNEO Co., Ld., Agents.

Houghon', Merch 8, 1880. SAILORS' HOME.

Hongkong, July 25, 1878.

Intimations.

3二 初日五年辰庚

DENTAL NOTICE.

TR. ROGERS, now on a visit to SHANG-HAI, will return to Hongroud early Hongkong, April 1, 1880.

NEW YORK" in Water Mark. Measrs MELOHERS & Co. are our only AGENTS for Sale of the Genuine Florida

New York, July 9, 1878.

Shipping.

FOR HOLHOW, PAKHOL AND

The Steamship "Ping on,"
Capt. McCastin, will be

For Freight or Passage, apply to RUSSELL & Co.

Hongkong, June 8, 1880.

STEAM TO BOMBAY VIA STRAITS The P. & O. S. N. Co.'s Steamship
"China"
will leave for the above Place on THURSDAY, 10th Instant, at

A. McIVER, Superintendent.

P. & O. S. N. Co.'s Office. Hongkona. June 5, 1880.

A "L'smeralaa, Port on FRIDAY, the 11th Inst., at 4 p.m. For Freight or Passage, apply to

RUSSELL & Co.

Bongkong, June 8, 1880. FOR COOKTOWN, SYDNEY AND

MELBOURNE. (Calling at PORT DARWIN if sufficient inducement offers and Taking Cargo and Passengers for all Australian and New Zealand Ports.)

J. Brown, Commander, will be despatched as the 12th June, s' The Steamer Daylight.

For Freight or Passage, apply to GEO. R. STEVENS & Co. Hongkong, May 28, 1880.

OCEAN STEAMSHIP COMPANY, The Co.'s Steamship

For Freight or Passage, apply to BUTTERFIELD & SWIRE

Hongkong, May 27, 1880.

OCEAN STEAMSHIP COMPANY.

FOR SHANGHAI VIA AMOY. (Taking Cargo & Passengers at through rates for CHEFOO, NEWOHWANG, TIEN-TSIN, HANKOW and Ports on

The Co.'s Steamship Capt. H. Jones, will be despatched on or about the 14th Instant.

For Freight or Passage, apply to BUTTERFIELD & SWIRE.

FOR SINGAPORE, PENANG AND CALCUTTA.

The Steamship Captain M. J. SUTCHER, will be despatched as

For Freight or Passage, apply to Jardine, Matheson & Co.

The Steamship
Captain T. S. GABDNEB,
will be despaiched for
the above Ports on TUESDAY, the 16th Inot., at 8 p.m.

For Freight or Passage, apply to DAVID SASSOON, SONS & Co.,

Houghong, June 6, 1880.

requesting it to be landed here.

AGENTS FOR THE CHINA MAIL. LONDON: F. ALOIR, 11 & 12, Clement's Lane, Lombard Street, E. C. GEORGE STREET & Co., 80, Cornhill. GORDON

& Goron, Ludgate Circus, E.C. BATES,

HENDY & Co., 4, Old Jewry, E.C.

SAMUEL DEACON & Co., 150 & 154, Leadenhall Street. PARIS AND EUROPE :-- LEON DE ROSMY, 19, Rue Monsieur, Paris.

NEW YORK:--ANDREW WIND, 188, Nas-

AUSTRALIA, TASMANIA, AND NEW ZEALAND :-- GORDON & GOTOR, Melbourne and Sydney. SAN FRANCISCO and American Ports generally :- Bran & Black, San Fran-

Singapore and straits :-- Sayle & Co., Square, Singapore. C. HEINSZEN

& Co., Manila. CHINA:--Macao, Messrs A. A. DE MELLO & Co. Swatow, Campbell & Co. Amoy, WILSON, NICHOLLS & Co. Foothow, HEDGE & Co. Shanghai, LANE, CRAWFORD & Co., and KELLY & WALSH. Yokohama, LANE, CRAW-FORD & Co.

Banks. ORIENTAL BANK CORPORATION.

(Incorporated by Royal Charter.) PAID-UP CAPITAL£1,500,000. T) ATES OF INTEREST ALLOWED ON DE-

'3 months' notice 3g per Annum.

Current Accounts kept on Terms which may be learnt on application. GEO, O. SCOTT, Acting Manager.

CHARTERED BANK OF INDIA, AUS-

OAPITAL,....£800,000. RESERVE FUND,......£190,000. Bankers. THE BANK OF ENGLAND.

THE CITY BANK. THE

THE BANK'S BRANCH in HONGKOKE WE Have This Day entered into PART oranta Drafts on London and the WERSHIP as SHARE and GENE grants Drafts on London and the Chief Commercial places in Europe and the East; buys and receives for collection Bills "Command Group." of Exchange, and conducts all kinds of

Banking and Exchange Business. RATES OF INTEREST ALLOWED ON DE-

On CURRENT ACCOUNTS, 2 per cent. per annum on the daily balance. ON FIXED DEPOSITS. For 3 months, 3 per cent, per annum. 4 per cent.

o per cent. WILLIAM FORREST, Manager.

Hongkong, May 10, 1880.

Registered in London under the Companies' Act of 1862, on 23rd March, 1866.

Established in Calcutta 29th September, 1863. SUBSCRIBED CAPITAL£933,000,

HEAD OFFICE :- 39A, THREADHEEDLE STREET, LONDON, E.O.

NATIONAL PROVINCIAL BANK OF ENGLAND. NATIONAL BANK OF SCOTLAND. All descriptions of Banking and Exchange

business transacted. INTEREST allowed on CURRENT ACCOUNTS at the rate of 2 per cent, per annum on the daily balances; and on Fixed Deposits in 1 dez. Quarts. according to arrangement—the maximum rate being 5 per cent. per annum.

Hongkong, May 24, 1880.

COMPTOIR D'ESCOMPTE DE PARIS (Incorporated 7th & 18th March, 1848.)

DECOGNISED by the INTERNATIONAL CONVENTION OF SOTH ARRIT, 1862.

RESIEVA SUND...... £800,000 HEAD OFFICE-14, Rus Bergers,

PARIS. AGENCIES and BRANCHES at:

LONDON BANKERS! THE BANK OF ENGLAND. THE UNION BANK OF LONDON

The Hongkong Agency receives Fixed Deposits on Terms to be accertained on application, grants Drafts and Credits on all parts of the World and transacts every description of Banking Exchange Business. E. G. VOULLIBHONT, Manager, Shanghai.

NOKONG & SHANGHAI BANKING CORPORATION.

CHIEF MANAGER. Hongkong,.....THOMAS JACKBON, Esq.

MANAGER, Shanghal......EWEN CAMERON, Esq.

For Fixed Deposits :--For 3 months, 3 per cent. per annum. 4 per cent. 5 per cent.

Credits granted on approved Securities, and every description of Banking and Exchange business transacted. Drafts, granted on London, and the chief Commercial places in Europe, India, Australia, America, China and Japan,

Chief Manager. Offices of the Corporation, No. 1, Queen's Road East.

Notices of Firms.

NOTICE.

J. THEO. CHATER. J. Y. V. VERNON,

Hongkong, June 1, 1880. NOTICE.

- CHAS. C. COHEN. ERICH GEORG.

Hongkong, May 17, 1880. NOTICE.

TATR. C. STIEBEL has To-DAY been WI admitted a PARTNER in our Firm in Hongkong, Shanghal and Yokohama, REISS & Co. Hongkong, May 1, 1880.

NOTICE.

ARNHOLD, KARBERG & Co. DECORD OF AMERICAN AND FOREIGN SHIPPING.

ARNHOLD, KARBERG & Co. Hongkong, Sept. 3, 1879.

FOR SALE. EX REUNIT ARRIVALS, AND AT VERY

in Splendid Condition. Fine OLD PORT, in 1 doz. Cases. BOORD'S GINGER WINE.

MULSOW'S CELEBRATED GREMAN VEGE. TABLES, PRESERVES, SAUSAGES, FRUITS, RASPBERRY VINEGAR, &c.

Also. TWO Large "HEBRIEGS" PATENT FIREPROOF SAFES. G. R. LAMMERT, Peddar's Wharf Buildings.

FOR SALE. TULES MUMM & Co.'s CHAMPAGNE, Quarts \$16 per 1 doz. Case. Pinta......\$17 per 2 dos. .. GIBB, LIVINGSTON & Co.

Houghong, February 2, 1880. FOR SALE RAUTERTMAYNE DELICIOUS TABLE BEER AWARDED PIRET PRIES MEDAL THE STATE STORES EXECUTION. BANDER & Co., Agente.

HOWBBADY PRICE, \$1.00: BY E. H. PARKER

Honekong, May 18, 1880

MEERSCHAUM PIPES, CIGAR and CIGARETTE HOLDERS.

TAVE JUST RECEIVED

RACQUET and TENNIS SHOES.

PERFUMERY and Toilet SOAPS.

Prickly Heat and Carbolic SOAP.

Fine and Coarse STRAWS.

Turkish TOWELS.

BELTS.

AIR BED and CUSHIONS.

Hongkong, June 1, 1880.

DAWSON'S CALF BOOTS and SHOES.

FRENCH KID & CALL SUMMER SHOES.

Calcutta PITH HATS and HELMETS.

English and American PLAYING CARDS.

READING LAMPS, Double and Single.

KAISAR-I-HIND, ALGERIEN and LITTLE DEVIL CIGARETTES.

"General Pel" CIGARS.

GOOD BREAKFAST CLARETS, from \$4.00 per Dozen.

COWSLIP and ORANGE WINE, &c., &c., &c.

READING LAMPS, with Storm Burners.

LAWN MOWER.

BURGUNDY, CHAMPAGNE, CLARET, CHABLIS and other light WINES.

For Sale. TO BE SOLD OR LET. BUNGALOW on one of the best Hill Sites, on the northern slope of Mount Kellet, commanding the best views on all sides. It is substantially constructed, entirely of Brick and Stone; contains VER-ANDARS on all sides, a Large ENTRANCE HALL, DINING ROOM, DRAWING ROOM, STORE ROOM, three BED ROOMS (with a BATH ROOM attached to each), DRESHING

ROOM, English KYTCHEN handsomely fitted and Scullery attached: a Daving Room, which may be used as a Bed Room, SER-VANTS' ROOM, GODOWS for Coals, &c., and OUT-HOUSES. For further Particulars, apply to H. A. WOOLNOUGH,

Honykong Dispensary. Hongkong, May 18, 1880. WASHING BOOKS. (In English and Chinese.) TATABHERMAN'S BOOKS, for the use of Ladies and Gentlemen, are now

ready at this Office.--Price, \$1 each. CHINA MAIL Office. To Let.

TO BE LET OR SOLD. DUILDING, BATHING, LAWN TENNIS, and GARDEN SITES, Bt KOWLOON.

Apply to "Hongkong Dispensary," Hongkong, May 18, 1880. TO LET OR TO LEASE, THE Desirable BUNGALOW, known as | Rugs.

"CRONEST," at VICTORIA GAP .- With immediate Possession. For Particulars, apply to

RUSSELL & Co. Hongkong, May 25, 1880. je25

TO BE LET. TOURROWS' Massive-Built GODOWNS. PRAYA EAST,-No. 44, very suitable for DRY Goods and Nos. 43, 56A, 59A, for COAL; with PRI-VATE WHARF.

The GODOWNS, Nos. 111, 111A, and 113, WANCHI ROAD.

For Particulars, apply to SIEMSSEN & Co. Hongkong, May 19, 1880.

TO LET. ROUND FLOOR of Houses Nos. 3 and 4.

Apply to MEYER & Co., Hongkong, April 19, 1680.

TO LET. LIOREIGN DWELLING HOUSES in the HOLLYWOOD ROAD, coataining BIX ROOMS and OUT-HOUSES.

Nos. 8 and 9, SEYMOUR TERRACE.

Apply to DAVID SASSOON, SONS & Co. Hongkong, April 7, 1880, TTO BE LET, on Loss for BUILDING, Prece of GROUND, containing about

10,000 Equare Feet, at Spring Garden, on Inland Lot No. 199, commanding a good view of the harbour. Apply to BRERETON & WOTTON, Solicitors, 29, Queen's Road.

Hongkong, February 4, 1880.

Houghong, February 7, 1880.

TO LET. 771WO HOUSES, Not 14 and 16, Stapley Street, lately in the compation of the Temperature Hall. Two ROOMS in CLUB CHAMBER. Apply to

TO LET. N. Marine Lot No. 65, FIRST-CLAS GRANITE GODOWNS. Apply to MEYER & Co. Hongkong, July 25, 1879.

DUUGLAB LAPRALK & Co.

Auctions.

PUBLIC AUCTION. ELEGANT ENGLISH AND AMERICAN-MADE HOUSEHOLD FURNITURE, OIL PAINTING, ENGRAVINGS, OLEOGRAPHS, GLAS-WARE, PLATED WARE, PIANO,

de. THE Undersigned has received instructions to sell by Public Auc-

the 15th June, 1880, at 2 p.m., at the Residence of Miss Lamb, No. 14, Hollywood Road,-The whole of the ELEGANT

comprising:---Crimson Rep-covered Drawing-room English-made Walnut Marble-top

Blackwood Inlaid Marble-top Centre Marble-top Tables. Crystal Gasalier and Gas Brackets.

Cheffonier, with Glass.

Bronzes, Vases, Statuettes, and Orna-

Standa. Chimney Glasses and Clocks. Extension Dining Table, English-made Mahogany Cheffonier with Glass, What-

Dinner, Dessert, and Breakfast Sets. Glass and Plated Ware. English-made Mahogany Moroccocovered Dining-room Suite.

English-made Walnut Camel's-Hair Cloth-covered Bedroom Suite. Low Bureau with Glass.

Cheval Glasses. English-made Walnut Davenport. English-made Mahogany Tables and A COTTAGE PIANO, by LUNAN, Lu-

beck, made expressly for this climate. Catalogues will be issued. The whole will be on view on the 13th

J. M. ARMSTRONG, Auctioneer Hongkong, June 3, 1880.

Intimations.

SHIPS COMPHADORE, STEVEDORE, BALLASTAR AND WATER SUPPLIES. Hongkong & Whampes, (the same Proprietor)
Keep on hand and for sale, well assorted Oilman's Stores & Coal of all kinds. Shipping supplied at the shortest notice with all kinds of Ballast and fresh Provisions at moderate charges. FOO, PRAYA WEST. 館辦與成口街與系

Moderate Rates, in FIRST ULASS GODOWNS, under European supervision; and VESSELS Discharged alongside the Wharf, on favorable Terms, with quick despatch. Also entire Godowns to be let: MEYER & Co. Hongkong, June 1, 1880.

in the Winter as usual.

MURRAY & LANMAN'S LORIDA WATER

CAUTION. HAVING Learned that Large Quantities of IMITATIONS of our FLORIDA WATER have recently been imported to Hongkong, we caution the Public against purchasing any that does not bear the name MURRAY & LANMAN" on the label. Each Bottle of the Genuine is wrapped bave quick despatch. with a pamphlet printed on paper which has the words LANMAN & KEMP,

Water at Hongkong. LANMAN & KEMP.

Mr. Andrew Wind. NEWS AGENT, &c. Overland China Mail, and China Review.

Steamers. HAIPHONG.

The Tower, Dwellings and Boundary Ports on THUR DAY, the 10th Instant, at Daylight.

FOR MANILA.

FOR LONDON VIA SUEZ CANAL

Captain R. T. Power,
will be despatched on or about the 12th June.

the YANGTSZE,)

Hongkong, June 7, 1880.

above on TUESDAY, the 15th lostent, at

Hangkong, June 8, 1580. FOR SINGAPORE, PENANG AND DALOUTTA

Instant

Oriental Bank Corporation, Hongkong, September 4, 1879. TRALIA, AND CHINA.

NATIONAL BANK OF SCOTLAND.

TATIONAL BANK OF INDIA.

RESERVE FUND...... £35,000.

LONDON BANKERS:-

R. HORNE BOYD, Acting Manager.

CAPITAL FULLY PAID UP £3,200,000.

LORDON BOURSON, BAR FRANCISCO. MARSSILLES, HOMBLY, HOMORONG, CALOUTTA, L'YOUR. HARROW, NARTES, SHANGBAL, FOGOROW.

China Mail Office. Hongkong, December 6, 1879. Hongkong, May 20, 1879.

Banks.

PAID-UP CAPITAL, 5,000,000 Dollars.

COURT OF DIRECTORS. Chairman-The flen. W. Keswick. Deputy Chairman-A. McIven, Esq. ADOLF ANDRE, Esq. | H.DEC. FORBES, Esq. R. BELILIOS, Esq. H. HOPPIUS, Esq. Prickly Heat and Carbolic SOAP L. DALBYMPLE, F. D. SASSOON, Esq. Tollet BRUSHES and COMBS. W. S. Young, Esq.

LONDON BANKERS .- London and County

HONGKONG. INTEREST ALLOWED. IN Current Deposit Account at the rate RUBBER SEA BOOTS. of 2 per cent. per annum on the daily LIFE JACKETS and SWIMMING ICE CHEST.

LOCAL BILLS DISCOUNTED.

T. JACKSON. Hongkong, April 28, 1880.

TATE Have This Day entered into Part-MEBSHIP AN SHARE and GENERAL BROKERS, under the Style of "CHATER de Vernon."

FIGHE Undersigned have been appointed AGENTS to the NEW YORK BOARD OF UNDERWRITERS.

For Sale.

MODEBATE PRICES. DASS' PALE ALE, in Quarts and Pints, bottled by PATTERSEN & HIBBERT, AFTER-DINNER & BREAKFAST OLARETS.

Hongkong, June 5, 1880.

Can be obtained from KELLY & WALSH at Shanghal and Hongkong, at Lans, CRAWFORD & Co., Hongkong, and at the

tion, on TUESDAY.

HOUSEHOLD FURNITURE, &c.,

Oil Painting, Oleographs, Engravings.

Elegant Carpets and Velvet Hearth-Handsome Mirrors on Marble-top

American-made Walnut Marble-top Double Bedsteads, Wardrobes with Plate Glass Doors.

and 14th June. TERMS OF SALE -- As customary.

AH.TOW& Co.

HONGKONG WHARF & GODOWNS. COODS RECEIVED ON STORAGE at

are requested to Furnish the Undersigned with a List of their Contributions New Shapes in DRAB and Black FELTS. MORDAN'S PRESSES, Letter and Foolscap for the year ending 31st December 1870, in PROFITS Reserved for Contributors may Postal BALANCES and Family SCALES BILLIARD CUES, TIPS and TIP FAS. the Office, and no Claims or Alterations

will be subsequently admitted. JARDINE, MATHESON & Co., General Agents.

Hongkong, May 10, 1880.

CAPE OF GOOD HOPE LIGHT-HOUSE NTOTICE is hereby given, that the CAPE OF GOOD HOPE LIGHT-was exhibited-

CHÍNA SEA.

for the First Time at Sunset of the 28th Instant. The Illuminating Apparatus is Dioptric 133, NASSAU STREET, NEW YORK; of the Fourth Order, shewing a fixed Red Is authorized to receive Subscriptions, Ad-Light from S. 32° E. to S. 10° E., a fixed vertisements, &c., for the China Mail,

level of the sea, and, in clear weather, the White Light should be visible at a distance of 15 nautical miles, and the Red Light The Tower is round, of iron, 10 feet high and with a total height from its base to the lantern vane of 22 feet.

Customs. DAVID M. HENDERSON. Engineer-in-Chief. Imperial Maritime Customs,

CHINA SEA.

The Illuminating Apparatus is Dioptric

By order of the Inspector-General of

tors and other Persons having any

LIMITED, GLASSOW, can be had in

NY Cast-off CLOTHING, Books, or Papers will be thankfully received at the Sallor's Rome, West Point.

Agents. Hongkong, June 8, 1860.

PRICE, \$24-PER-ANNUM

Shipping.

Sailing Vessels. FOR SAN FRANCISCO. The A 1 British Ship

" Piz urro. Locksow, Master, will load here for the above Port, and will have quick despatch.

For Freight, apply to RUSSELL & Co.

Hongkoug, May 31, 1880. FOR SAN FRANCISCO. The A 1 American Ship

TAYLOR, Master, will load here for the above Port, and will For Freight, apply to VOGEL & Co.

Hongkong. May 31, 1880. FOR HONOLULU. The A 1 British Bark Williams, Master, will load here for the above Port, and will have quick despatch. For Freight, apply to

FOR LONDON AND HAMBURG. The 5/6 L.1.1 German Bark WINTERS, Master, will load here for the above Ports, and will

Hongkong, May 21, 1890.

have quick despatch.

For Freight, apply to

will have quick despatch.

For Freight, apply to

Hongkong, May 19, 1880.

VOGEL & Co.

VOGEL & Co.

VOUEL & Co.

VOGEL & Co.

VOGEL & Co.

VOGEL & Co.

Hongkong, May 20, 1880. FOR LONDON. The A'1 British Ship "Clydesdale,"
HATFIELD, Master, will load
here for the above Port, and

FOR NEW YORK. The A 1 American Ship

Wm H. Marcy.

MARCY, Master, will load here
for the above Port, and will For Freight, apply to ... RUSSELL & Co. Hongkong, April 24, 1880, FOR NEW YORK,

W. C. WARLAND, Master, will

load here for the above P

and will have quick despatch.

For Freight, apply to

have quick despatch.

have quick despatch.

For Freight, apply to

For Freight, apply to

Hongkong, April 8, 1880.

Hongkong, April 21, 1880. FOR NEW YORK. The A 1 American Ship The A I American Ship "Centennia","
BEARSE, Master, will load here

for the above Port, and will

FOR NEW YORK. The A 1 British Bark "Palestine," MAYNARD, Master, will load here for the above Port, and will

Hongkong, April 8, 1880. Notices to Consignees. STEAMSBIP "JAPAN,"

FROM CALCUTTA, PENANG AND

SINGAPORE,

MONSIGNEES of Cargo by the above Steamer are hereby requested to send in their Bills of Lading to the Undersigned for countersignature, and to take immediste delivery of their Goods from slong-Cargo impeding her discharge or remain-ing on board after the 9th Instant, will be landed and stored at Consignees risk and expense, and no Fire insurance will be

Consignees are hereby informed that

DAVID SASSOON, BONS & Co.,

any Claims must be made immediately, as

none will be entertained after the 12th

STEAMSHIP "YANGTEE."

Hongkong, June 8, 1880.

COMPAGNIE DES MESSAGERIES MARITIMES. NOTICE. CONSIGNERS of Cargo per Steamship tion with the above Steamer, are hereby informed that their Goods are being landed and stored at their risk at the Comjold pany's Godowna whence delivery may be
obtained immediately after landing.
Optional Cargo will be forwarded on unless indimetion is received from the Consigness, before & o Clock p.m. To-pay,

> Bills of Lading will be countersigued by the Undersigned. Goods remaining unclaimed after SATUR-DAY, the 12th Int. at Noon, will be subjest to rent and landing charges. No Fire Insurance has been effected. G. DE CHAMPEAUX, 20cm

NEWS FOR HOME.

The Overland China Mai (The olders Overland Paper in Unina.) -PUBLISHED AT THE "CHINA MAIL" OFFICE IN TIME FOR THE ENGLISH MAIL

Containing from 72 to 84 columns of closely printed matter.

THIS Mail Summary is compiled from the Daily China Mail, is published twice a month on the morning of the English Mail's departure, and is a record of each fortnight's current history of events in China and Japan, contributed in original reports and collated from the journals published at the various ports in those Countries. It contains Shipping news from Shanghai, Hongkong, Canton, &c., and a complete Commercial Summary.

Subscription, 50 cents per Copy (postage paid 56 cents.) \$12 per annum (postage paid \$13.50.) Orders should be sent to GEO. MURRAY BAIN, China Mail Office, 2, Wyndham Street, not later than noon of the day the English Mail Steamer leaves. Terms of Advertising, same as in Dally

China Mail Eighth Volume of the "CHINA REVIEW

No. 5.-Vol. VIII. _OF THE-

COCHUMA BEVIEW OF CONTAINS-

Translations from the Lü-li, or General Code of Laws of the Chinese Empire. Fa-Heien and His English Translators. The Flower-Fairles. Translations of Chinese School-Books. Short Notices of New Books and Literary Intelligence.

Notes and Queries :--Remarks on the Syllabary of the Hakka | and 10 Chinese. Dislect by Mr. E. H. Parker. Hakka Marriage Customs. Duodenary Cycles. Serfdom in Ancient China. Curious Coins. Books Wanted, Exchanges, &c.

To-day's Advertisements.

Hongkong, May 17, 1860.

FOR HOLHOW.

The Steamship " Hainan." Captain Conner, will be despatched for the above Port on FRIDAY, the 11th Inst., at Day-

For Freight or Passage, apply to RUSSELL & Co. Hongkong, June 9, 1880.

GOEAN STEAMSHIP COMPANY

FOR SHANGHAI VIA AMOY. (Taking Cargo & Passengers at through rates for CHEFOO, NEWCHWANG, TIEN-TSIN, HANKOW and Ports on the YANGTEZE.

The Co.'s Steamship " Menelaus," Cant. J. Micos EKIDAY, the 11th Instant, at Daylight. For Freight or Passage, apply to

Hongkong, June 9, 1880. FOR SINGAPORE, BRISBANE, SYD-NEY AND MELBOURNE. (Calling off the usual Coast Ports, and taking through Cargo and Passengers

BUTTERFIELD & SWIRE.

Agents.

for New Zealand.) The Eastern and Austrans... Steamer tralian Mail Steam Co.'s fin place of the S. S. Somerset as previously

advertised) will be despatched as above on SATURDAY, the 12th Instant, at 4 p.m. For Freight or Passage, apply to GIBB, LIVINGSTON & Co., = Agents.

Hongkong, June 9, 1889. FOR AMOY. The Steamship

"Diamante." Captain Cullen, shortly | For MANILA .--despatch for the above Port. For Freight or Passage, apply to RUSSELL & Co.

Hongkong, June 9, 1880. TO LET. Portion of Mesers Lane, CRAWFORD & Co.'s PREMISES in QUEEN'S ROAD, suitable for CHAMBERS OF OFFICES.

Hongkong, June 9, 1880.

Not Responsible for Debts. ATerther the Captain, the Agents, nor Owners will be Responsible for any Debt contracted by the Officers or Crew of the following Vessels, during their stay in Honghong Harbour :-

EMMA, German S-masted schooner, Cant. P. T. Michelson. - Eduard Schellbass & Co. PIZABBO, British ship, Captain J. N. Jackson.—Borneo Company, Limited. MARIE LOUISE, German barque, Captain A. Erlohsen.-Wieler & Co.

MCNEAR, American ship, Captain W. Taylor.-P. & O. S. N. Co. MINNIE CARVILL, British barque, Capt. P. T. Clark.—Gibb, Livingston & Co. EL CAPITAN, American ship, Capt. W. P. Lincoln. -P. & O. S. N. Co.

WILLIAM RITSON, British barque, Capt. Brough.-Melchers & Co. CHURNUM, British ship, Capt. Beadle.-Wieler & Co.

W. Pearson.—Jardine, Matheson & Co. CLIFTON, British barque, Capt. Davies .-Rozario de Co,

Woodville, Britsh barque, Capt. Rodd. -Arnhold, Karberg & Oo.

SHIPPING. ARRIVALS.

June 8, Someract, British steamer, 1100. J. W. B. Darke, Sydney May 10, General. Gibb, Livingston & Co. June 9. Fuyet, Chinese steamer. Irom

ARRIVALS. June 9, Cuba, British barque, from Whampos, June 9, Menclaus, British steamer, 1559, J. Nicel, Liverpool April 16, and Singapore June 3, General.-BUTTERFIELD

June 9. Hainan, American steamer, 881 Conner, Haiphorg June 5, Pakhoi 6, and Roihow 8. General.—Russell & Co. June 9, Sunbeam, British steamer, 1154, Dobson, Nagasaki June 4, Coal and Gene-

ral -JARDINE, MATHESON & Co. June 9. Esmeralda, British steamer, 395, R. Talbot, Amoy June 8, General .--RUSSELL & Co.

DEPARTURES. June 9, Yottung, for Swatow. Marie Louise, for Swatow. Names, for Coast Ports. Fokien, for Amoy, &c. 9, Peng-chou-hai, Chinese gunboat,

for a cruise. CLEARED Palestine, for New York. Kaiser, for Whampos.

Menelaus, for Amoy. Ping on, for Holhow, &c. PASSENGERS.

Fuyew, for Shanghai.

Per Hainan, from Halphong, &c., Messrs Echomberg and Johnston, and 9 Chinese. Per Esmeralda, from Amoy, Capt. Webb,

and Mr A. W. Best. Per Somerset, from Sydney, 11 Chinese. Per Menelaus, from Singapore, &c, 1 European, and 350 Chinese.

DEPARTED. Per Namea, for Foochew, Mr Meyer, Madame Marshal, and Major St. Clair. Per Yottung, for Swatow, 42 Chinese. Per Fokien, for Amoy, do., 80 Chinese.

TO DEPART. Per Kaiser, for Whampon, 20 Chinese. Per Fuyew, for Shanghai, 40 Chinese. Per Menelaus, for Amoy, 120 Chinese. Per Ping on, for Hoihow, 1 European,

SHIPPING REPORTS.

The American steamer Hainan reports: Left Haiphong on 5th Inst., Pakhol 6th, and Holhow 8th. From Baiphong to Pakhol, fresh Southerly and S.S.E. winds with cloudy weather. From Pakhol to Hoihow, light variable winds with much rain. Thence to port light S.E. and E. S.E. winds and squally weather.

The British steamer Sunbeam reports Strong S.W. winds and see with heavy rain. The British steamer Menclaus reports Light S. W. wind and fine weather throughout. Brought the remains of the late Hon. Mr Whampoa, from Singapore in transit to Whampon for interment.

Report of the R. M. S. Somerset, J. W. B. Darke, R. N. R., Commander, from Sydney direct .-- At 4 p.m. on 19th May, cast off from Company's what and proceeded down harbour; stopped off quarantine station to receive 2 of the S. S. Brisbane's crew proceeded and cleared Heads at 5.45 p.m. rounded Breakses spit at 2 p.m. on 22nd passed Cooktown on 25th at 5.25 p.m., anchored 4 hours to adjust Engines on 27th at 1.30 a.m.; cleared Albany Pass at 11.30 a,m. 27th; Booby Island abeam at 3.30 p.m. same day; passed through Manipa Straits on the night of Sist; Banks passage on the morning of the 2nd June; Basilan Signita at __ interior or the ord, and elected. Mindoro Straits on the evening of the 5th; Cape Calavite absent at 11.30 p.m. on 5th, arriving in Hongkong harbour at 7 p.m. on 8th. Experienced light winds, the pleasant weather, and smooth sea throughout the voyage. Passed Company's steamer Normanby at 9.45 a.m. on 21st May, and American barque Carrie Humfrey bound to Manila in lat. 14.12 N., long. 119.30 E., at

6 a.m. on the 6th inst. The British steamer Esmeralda reports Had moderate monsoon and fine weather throughout.

POST OFFICE NOTICES.

MAILS will close:-For SHANGHAL ---

Per Fuyew, at 2.30 p.m. To-morrov - the 10th inst. FOR STRAITS SETTLEMENTS & BOM-

BAY.-Per China, at 3.80 p.m., on Thursday, the 10th inst. For BANGKOK.—

Per Consolation, at 5 p.m. To-morrow. the 10th inst. instead of as previous. ly notified.

Per Esmeralda, at 3.30 p.m., on Friday, the 11th inst. For SAIGON .--

11th inst. For JAPAN via KOBE.— Per Sumida Maru, at 5 p.m., on Friday,

the 11th June. For PORT DARWIN. COOKTOWN SYDNEY, MELBOURNE, &c. viously notified.

Per Bowen, at 3.30 p.m., on Saturday, the 12th just, instead of an previously notified.

For JAPAN via NAGASAKI.-Per Malacca, at 11.80 a.m., on Tuesday the 15th inst.

For STRAITS SETTLEMENTS CALCUTTA.---Per Japan and Moray, at 2:30 p.m., on Tuesday, the 15th inst.

The British Contract Packet Peshawur

STRATHLEVES, British steamer, Capt. C. N.B .- This Packet carries no mails for the

the 21st June, with Mails to and through the United Kingdom and Europe, pid Napies; to faigon, Straits Settlements, Batavis, Burmah, Ceylon, the Australiaian Colonies, Pondichery,

sian Government do not seem to know MEMOS. FOR TO-MORROW what a gold mine they possess in Russian Shipping. Tartary. The soil will grow anything

Daylight,-Ping On leaves for Hollow.

i p.m.—China leaves for Bombay.

HONGKONG DISPENSARY. Established A.D. 1841.

香港大藥房 A. S. WATSON & Co., FAMILY & DISPENSING CHEMISTS. WHOLESALE AND RETAIL DRUGGISTS, IMPORTERS

DRUGGISTS' SUNDRIES, NURSERY REQUI-SITES, TOILET REQUISITES, ENGLISH, AMERICAN, AND FRENCH PATENT MEDICINES. MANUFACTURERS

Soda Water, Lemonade, Tonic Water, Gingerade, Potass Water, Sarsaparilla Water, and other Aerated Waters. The Manufactory is under direct and continuous European Supervision. Hongkong, June 1, 1876.

The publication of this issue commenced

The China Mail.

uongkong, wednesday, june 9. 1880

LOCAL AND GENERAL

The next Excuses Main may be expected to arrive here on Friday morning next, the 11th inst., by the P. & O. steamer Mirzapore. which brings London advices up to the 7th

THE Annual Regimental dinner of the 2nd Battalion 3rd Buffs was held at Tanglin Barracks, Singapore, on the 27th ult., when H. E. Sir F. A. Weld, K.C.M.G., was pre-

THE Glencoe arrived at Singapore at halfpast 9 on the evening of the 30th ultimo. being the first of the tea steamers to arrive at that port. The distance from Woosung to Singapore was done within the seven days, but Captain Gulland hopes to do even better on the distance to Suez. The Glencos was to have left Singapore at half-past 4 on the morning of the 31st with 1,100 tons of coal on board.

Jurisdiction at 10 a.m.- to-morrow the 10th instant, in the case of Sands and another v the Hongkong and Whampon Dook Dompany; after which it will hear the Registrar's Report in the Bankruptcy o W. Von Pustau; and also in Probate, re Un Tim, deceased, when motion will be made to reduce the amount of sureties.

NOTES FROM RUSSIAN the following interesting letter: - and few even to obtain temporary emwhen the opportunity offers, which is some sort of a compromise, hopeless likely to be the case this summer, owing stagnation must ensue. The people to the enterprise of Mr M. C. Adams, of | must of a certainty suffer from an excess Nugasaki, a name well known in Shang- of officials, many of whom have sunk hai; and opportunities may also present large sums in the purchase of rank with themselves by the new line of Russian a view to securing a profitable investsteamers, some of which, according to ment, and are not likely therefore to report, are likely to proceed to Wladi- have popular interests entirely at heart. vostock. Think of it, ye dwellers on the | Mere weeding out of the worthless ones flats of the Hwangpoo, a summer tem- will not remedy a condition of things, close past the beautiful islands, of Mata- interests of the people that so poor Sima, Hirado, Ikutski and Iki, not province should be over-stocked with Per Quinta, at 8.30 p.m., on Friday, the journey, besides the cone of Tacabo, and officials of this class be sent forward for scenery of Siski and the Obree Channel, | that time he will again address which, with the fine sea air, is so refresh- | Majesty as to the propriety or ing to those who have been alternately reverse of resuming the practice.-Resteamed and baked on the plains of script: Let the Board of Civil Office China, From Iki-Sima to Dagalet | take note. Per Claverhouse, at 5 p.m., on Friday, (Mata-Sima of the Japanese), the course the 11th inst., instead of as pre- is N. 18 ° E. about 230 miles, passing For SINGAPORE, AND E. AUSTRALIA, Kino-simo, sighting the mountain ranges

east of Tsu-Sima in the strength of the of Corea behind Cape Clonard in passing. Dagelet is a beautiful island, wooded to the summit of its highest peak, which rises 4.000 feet above the sea. It is uninhabited except in the summer time, when a few Coreans go there to build junks, leaving when the weath'r breaks up in the fall. There are some curious rock formations on the island, the most

without manure, timber of the best quality

exists in a undance, also gold, coal, iron and other minerals, while the sea teems with fish, whales, salmon, cod, herrings, etc., and the reefs are covered with edible seaweed. From Arkold to St. Vladimir Bay there are numerous fairly good harbours, several quite cheltered, and every valley opening on the coast has its mountain stream. There are no out-lying rocks or dangers. The climate is healthy though the winters are severe. The country seems to bear a great resemblance to the Red River valley in more respects than one, and it certainly seems capable of raising wheat of equal quality. The Russians are like the dog in the manger, they are unable to turn all this wealth to account themselves, and not allow others to do so. Military law reigns supreme, and the dread of it, prevents their own peasantry from taking more out of the soil than will give them black bread and tea. If our American cousins had a footing in Russian Tartary, they would make it rival California, but under Russian law all attempts to develop the resources of the country are hopeless. They say they want settlers with brains and a little money. They can get plenty if they will give assurance that they will be allowed to enjoy fruits of their toil. As a place of resort to recruit after the scorching summer of Shanghai, commend me to the coast of Russian Tartary. The air is perfection. there is an hotel in Wladivostock, and telegraphic communication with Europe and Shanghai. During the summer the military bands play in the public gardens every evening. Residents seem to like the winter better than summer, when there is a continual round of balls, and sleighing parties. I may have something more to tell you about the place bye-and bye.

> THE SERVICE IN CHIHLI BLOCKED.

The following is from the translations given in the N. C. D. Vews from the

Peking Gazette :-May 3rd.—(1) Memorial from Li Hung-chang representing that there is an excessive number of expectants of office in Chihli, causing a block in the promotion lists, and praying that for the present no more expectants may be sent forward. Since the commencement of military operations in the Empire, there has been a ceaseless flow of expectants of office to the province, who have obtained their nominations either by recommendation for service or by purchase, as the case might be, with the result that the number of expectants far THE Supreme Court will sit in Original-exceeds the vacancies they are entitled to fill, causing a dead-lock for many years past. When the abolition of the purchase system was announced last year, there was a rush of purchasers previous to the date of the abolition taking effect, so increasing the number of expectants in Chilli that there are

now more than 40 officers on the list of expectant Inotals and Prefeots; over 200 on the list of Department and District Magistrates; more than 90 exriver works; and upwards of 800 ex-An occasional correspondent signing | pectants of miner posts, many of whom "Caberfeidth" sends the N. C. D. News | can never expect to obtain preferment ment and other treaty ports would do reduced to a condition of extreme diswell to take a trip to Wladivostock tress, and if steps are not taken to effect perature of 65 o, glorious mountain air the radical defects of which lie deeper fishing, waving forests of oak, birch, measure that has called forth much adpine, etc., and hill-sides covered with miration, but a tide of expectants who wild flowers, cheap living and a kindly have purchased rank or secured recomhospitable people eager to welcome and mendations previous to the cessation of entertain the stranger. From Nagesaki the system must still continue to come the route is along the Japanese coast forward, and it is decidedly not to the forgetting the well-known Tengo, or needy expectants. The memorialist Arched Rock, a sight in itself worth the would therefore suggest that no more the sharp peak of Hirado, with the lovely three years to come. At the end of

> THE ANNAMESE TRIBUTE TO CHINA.

May 5.-The Governor of Kuangsi 7th year of Kunng Su being the time for the despatch of the periodical misinformed upon what day and in what MAILS BY THE BRITCH CONTRACT.—
The Britch Contract Packet Pecksons will be despatched on MONDAY that Hall to an expectation of the hisland some thing like a minister across the frontier. The membring like a minister across the frontier. The minister across the frontier. The minister across the frontier. The minister across the frontier across the frontier. The first beginning that the following like across the frontier. The first beginning li remaining under shelter, and on each King will be communicated with and side of the peninsula there is a long directed to take action accordingly. A stretch of coast where troops could easily copy of the King's letter is appended to be landed. A foreign artillery officer the memorial Rescript. Let the law Madras, Calcutts, Aden, Egypt, Malts (not Russian) stated to the writer of be consulted as to the date at which the this that in his opinion it would require frontier should be crossed, and let the The usual hours will be observed in closing 50,000 men to defend. Wladivostock, King be directed to take measures nosupposing it properly fortified. The Rus- cordingly,

SUPREME COURT. IN CRIMINAL SESSIONS.

Before His Lordship the Chief Justice, Sin John Smale and a Common Jury.)

> Tuesday, June 8th 1880. THE LIBEL CASE.

REGINA Versus PITHAN.

THE JURY. Before the case was called Mr Hayllar for the defendant moved for a postponement of the trial on an affidavit before His Lordship and on another set of droumstances that had just come before his notice. They were served with a notice last night requiring them to produce a large number of documents, books, cheque books, de. which put an entirely different aspect on the case, and these books could not be brought here in time. Again, some five or six of the jury were summoned as witnesses, and he thought it would be unfair now to try the case with the present panel.

The Chief Justice read the names of these subpospeed.-Mr Cohen, Mr Glover, Mr Mackintosh, Mr Cook, Mr W. E. Dunn, Mr Ritchie. Mr Francis said Mr Cook of the Hong-

In reply to the Uhief Justice who asked whether Mr Francis required these papers, Mr Francis said it depended entirely on the line the prosecution took. He after explained that as the strongest possible falsity of the libel, that it would be open for ship with which His Excellency the Go. because it was natural persons at home, o to prove such faisity. He was prepared to years" (meaning that His Excellency Sir the particular colouring which might be given rebut such evidence and to show that the statements in the alleged libel were true in fact; in that case he would have to call for the production of these books &c.

After some conventation Mr Hayllar said he did not intend to call evidence to prove the falsity of the alleged libel; he did not nee that he could.

Mr Francis: With that assurance 1 am quite astisfied to go on with case. Mr Hayllar alluded again to the very awkward fact of so many of the jurors being called as witnesses. However a juror could give evidence. The jurous were then called, in the

following order :- Messre W. L. Scott, Detmers, T. N. Drizcoll, G. Ferguson, Chape, D. Alemao and O. C. Cohen. Mr Francis explained that Mr Cohen was one of the witnesses; besides he had been

mixed up with the affairs of Mr Heaton. referred to in this case. The Chief Justice quite agreed that he might have preconcaived opinions on many

Mr Cohen therefore left the box. marking that there was no justification for any statement that he had formed any opinion on the case.

Mr W. H. E. Dunn was then called, and the Counsel for the defence relieving him from his subposus he was allowed to sit. By consent of both Counsel Dulcineo Alemão, a young Portuguese lad, was recalled from the box and J. Ritchie was called. He had left the Colony. Mr Maclebose took his place. The jury thus formed stood : Measts W. L. Scott, Detmers, T. N. Driscoll, G. Ferguson, G. Chape, J. H. Maclehose, and W. H. E.

Dann. THE CHARGE AND INFORMATION The trial was commenced to day of John Pitman, who was arraigned on a charge of libel on June 2nd, when he through Counsel pleaded "not guilty." The charge is laid under section 5, chap. 96, of statute 6 and 7 Vic., which enacts that " if any person shall mallolously publish any defamatory libel, every such person being convicted thereof, shall be liable to fine or pectants of posts in connection with imprisonment or both as the Court may award, such imprisonment not to exceed the term of one year," and the charge on which he was committed to take this tria at these cessions was in effect that he did on the 29th March, 1880, at Victoria in Health-seekers from the Model Settle- | ployment. The result is that they are this Colony unlawfully did write and publish and caused and procured to be written and published a certain false scandalous and defamatory libel of and concerning the said Horace Harrington Nelson.

contrary to the statute above recited. This was a private prosecution. Mr T.

matory libel hereafter mentioned was and still is in the service of a certain Incorporcontrol of a Board of Directors in London

Branch office of the said Company in ter, active and ceaseless hostility to the Victoria aforesaid; and that John Pitman, Governor of the Colony; he was referred The following is from the same contriving and wickedly, maliciously and to as having committed neworthy public unlawfully intending to aggrieve and villify acta; and it seemed to him (Mr Hayllar) reports the receipt of a letter from the the said Horace Harrington Nelson and to be an excessively grave question which King of Annam to the effect that the injure him in his good name and fame he now haid before them, and one of yery of the directors, who was out here. Then the and in his office or post of Manager of the grave importance in a Colony like this, when said Branch catablishment of the said ther any man was to take part in public sion of tribute to Peking, he begs to be Company at Victoria storesaid and to bring life according to his solemn convictious, him into scandal, infamy and disgrace with whatever they might be, at the said William Jackson, and the said Board of his public character being assailed. month he will be at liberty to send his of Directors, and to cause him to be esteem- as it seemed to him that seemed to be the prominent of which is a spike of about minister across the frontier. The me- ed and taken to be, by the said William point they came to within the four corners libel tack was a libel. With regard to that he came to within the four corners libel tack was a libel. With regard to that he came to within the four corners libel tack was a libel. With regard to that he came to be said william point they came to within the four corners libel tack was a libel. With regard to that he came to be and taken to be, by the said william point they came to within the four corners libel tack was a libel. With regard to that he came to be and taken to be, by the said william point they came to within the four corners libel tack was a libel. With regard to that he came to be and taken to be, by the said william point they came to within the four corners libel tack was a libel. With regard to that he came to be and taken to be, by the said william point they came to within the four corners libel tack was the libel. With regard to that he came to be and taken to be, by the said william point they came to within the four corners libel tack was the libel. morialist would observe that, according Jackson and the said Board of Directors, a of this document. It was a very solemn might remark that the Law had shifted a

bring to your notice, for the information of not actionable, still less open to prosecution, was written our privileged occasion. What the board of Directors in London, the con- by private individuals at any rate, nuless was a privileged consion was an exceedingduck of your manager here. Mr Nelson," they are followed by some special dam- ly important point, and under the direction

Nelson) "who, without any provocation or stood on a different footing. Libel was, as reason, thought proper, at a meeting of the defined over and over again in the books, writ-Hongkong Chamber of Commerce, on the ten, printed, or painted or otherwise engra-23rd ultimo, to indulge in a false and ved or delineated matter calculated to bring slanderous attack upon me, coupled with any one into hatred, contempt, or ridicule. some impertinent remarks about His Ex- There were, they might imagine, a great cellency the Governor of the Colony," many forms of libel; there was the blasphe-(meaning His Excellency Sir John Pope | mous libel, or those against the throne, and Hennessy, K.C.M.G., do., the present a dozen others which the learned Counsel Governor of Hongkong).

see Not only do the expressions that he made use of warrant the above description by one man against another, being a of them," (meaning thereby that they were libel upon a man in his trade, employfalse, slanderous and impertinent) "but ment or profession, a libel simed at the they were uttered with an evident animus, business by which that man carned his liveto which friends of mine who were present | lihood and by which he had a right to look

ber of Commerce in virtue only of his office | thought, the subject of a public prosecution. as local Manager of the Chartered Mer- Everything aimed at the source of a man's cantile Bank. Consequently, any unworthy living was peculiarly obnoxious to the law; public act of his in the Chamber reflects the law would be laid down more fully by his directly upon the Bank; and it is thus the Lordship, who he believed would instruct clear right and duty of the Directors to them, as he now suggested to them, that protect themselves against the discredit such a libel as this against a man in resulting from such conduct as that of Mr his business and profession was one of the

made aware that Mr Nelson, (again in Mr Nelson, as appeared in what was called virtue of his office as your representative) the inducement or colloquium to this inhan long carried on a bitter, active, and formation just read, was the manager of a that his services would not be required as ceaseless opposition to the Governor of the bank; he was in a position of responsibility Colony," (meaning His Excellency the said and trust; he was in a position of sole re-Sir John Pope Hennessy). "I cannot be sponsibility and trust; the sole and responlieve that such a policy is in keeping with sible agent out here in the East, answerable the traditions of your Bank, but, even if it only to the Inspector who comes round, and were, nothing could justify his gibe in a finally to his Board of Directors in London. public association" (meaning the said Mr Nelson therefore occupied a position Chamber of Commerce) "about the friend which one might call peculiarly sensitive, vernor has honoured me for the last fifteen | far away, not being able to know exactly all John Pope Hennessy has honoured the said to things locally, not being able to watch a John Pitman with his friendship for the man's character and judge it by his daily

last fifteen years). regard to Mr Nelson's public position as own statement, occupied a position of such one of your staff, some enquiry should be oredit and respect in this colony that he had made into the circumstances under which been for fifteen years the respected friend of he became possessed of a transfer of certain His Excellency the Governor of the Colony. shares from the late Mr Heaton on the eve A man occupying that position spoke under of his (Mr. H's) embarrassments about a a heavy responsibility; as a man whose year ago" (thereby meaning that the said lightest word would be entirely accepted. Horace Harrington Nelson had so corruptly | That was the position Mr Pitman took up in dishonestly or otherwise improperly obtain- this case, and he made against Mr. Nelson a ed a transfer of certain shares from one charge which, if true, must have ruined him, Alexander M'Glashan Beaton, who had which might have led probably but for formerly carried on business as a share peculiar circumstances would have led, to his broker in Hongkong, had become embar- being suspended according to the rules of rassed in his affairs about a year before the the Bank, and which according to common said letter was written and had died before sense, would have shown him to be a

been injuriously affected.) Nelson as a regular trafficker in shares and tutions of the kind, and therefore it behoved other concerns is able to devote that nu- a gentleman in Mr Nelson's position, who divided attention to the interests of the had a charge of this kind made against him Bank which its shareholders expect, and not to labour under it, not to come forward whether such occupation is within the and have a salve for it by means of a legitimate sphere of action of a Manager of | pecuniary compensation, but to come forward a Chartered Bank" (thereby meaning that | and vindicate his character, to place himself the said Horace Harrington Nelson traded | before a jury and have the matter publicly or trafficked so largely and regularly in neglect the interests of the said Banking Company confided to his care as such Manager as sicresaid and that the same were and had been injuri-usly affected.) trouble myself or you about Mr Nelson and | well within his Lordship's recollection-no his affairs had it not been for his impudent public attack upon me at the meeting referred to, for which neither his relations to | in a criminal charge. It was a harsh myself nor any transaction I have ever had state of the law which the judges did

"I trust you will at once give it attention it demands and spare me the necessity of taking other means for bringing it to the notice of your directors.

pretext or justification.

" I remain, Sir, your obedient servant, "John Pitman." said Horses Harrington Nelson, to the evil ally of libel, to plead the truth, to inquire example of all others in like cases offend- into the truth, to give evidence of the truth, ing, and against the peace of our Soverelgo | and to investigate the charges which have Lady the Queen, her Grown and Dignity." Mr Hayllar, in opening, said the jury had heard from the Chief Justice in the somewhat slight preliminary skirmish that had taken place that this was a case which created a very considerable amount of in-C. Hayllar, Q.C., instructed by Messra | terest and possibly some excitement. But Sharp, Toller and Johnson, appeared for in this Court they had nothing to do with Mr. H. H. Nelson, who is the prosecutor; that; all that they asked in this Court was and the defendant was represented by Mr | a fair, calm and impartial and patient hear-J. J. Francis, instructed by Messrs Brere- ing. In this Court all desired to have no prejudice or passion introduced; it would The information we give at length; it not be introduced by him and he was sure "At the General Criminal Sersions of friend. The matter was one of great public and scenery, sea-bathing, sea and river down. The abolition of purchase was a the Supreme Court held at Victoria for the interest, but the public interest it raised was month of May, 1880; the Court is informed to be found within the four corners of by the Attorney General on behalf of our the document he had now to lay before the Sovereign Lady the Queen that Horace jury. With these preliminary remarks he Harrington Nelson a the time of publishing came now to another aspect of the case. the false, scandalous, malicious and defa- There were two wave in which a man who believed himself to be libelled, that is who had injurious aspersions cast upon his chaness under the direction and under the a remedy against the writer of the libel who now not a question for their consideration, had injured him. He might come before a certainly not as he should lay the case beunder the style of the Chartered Mercantile jury claiming damages for the injuries Bank of India London and China, and sustained or he might seek to vindicate his how its stood. The plea put in was, as having a branch establishment or office character by the more public proceeding of they had heard, "not guilty." It had a amongst other places at Victoria aforesaid a criminal prosecution under a certain Ordi- certain technical effect; it entailed upon whereat the said Horace Harrington Nelson pance of this Colony: these two courses have the prosecution the onus of proving certain at the time aforesaid and long before held been open to Mr Nelson as to every gentleand still holds the office or post, conducted man in the position he is placed, and he them to prove the publication. The publiand still conducts the duties of manager; has chosen the latter. The reason, he cation of any document was its going into Travelling Inspector of the said Banking over as they had heard, Mr Nelson's un- son, except perhaps a man's wife, and that

(meaning the said Horson Harrington age, that was pecuniary damage. Libel enumerated. The present was one of as grave a kind as could well be committed

to continue to earn his livelihood. It was " Mr Nelson is a member of the Cham- one therefore that very properly formed, he very gravest offences one man could commit tel think it right also that you should be against another either publicly or privately. doings, should be ready naturally to accep "Further I would suggest that, having the word of a person who, according to his the date of the said letter, that his public person utterly unfit for the position he ocposition as such manager as aforesaid had cupied, and would necessarily have led to his recall. The rules of the Bank were It may indeed be doubted whether Mr only the rules of all banks and of all insti-

investigated, so that no stain of these charges might rest upon him. While that was the position which Mr Nelson had invited and was ready to occupy, it was not now precisely the position which Mr Nelson did occupy, and he would explain why. Up "I should not have been disposed to to within comparatively a few years agojustification on the ground of the truth of a libel could be pleaded by a person involved with the Bank had given him the alightest a good deal-did their best no doubt, as an advancing morality showed the Under the circumstances I have no harshuess of the law, to modify. They alternative but to lay this complaint before | olipped it here and olipped it there, until great many decisions were on the books in which, under certain circumstances, certain portions of the truth might be admitted. Then Lord Campbell, who, as every one knew, was one of the most eminent lawyers that ever eat on the English bench, caused the passing of an Act by which now "To the great scandal and infamy of the | it was open to any defendant accused criminbeen made in the libel, investigate them down to their very roots. But properly that icence had been out down by a very wise and moderate provision, which was this, that a plea of the truth of the libel should not be pleaded unless it could be shown it was for the public benefit that that subject should be inquired into. That was his position. This was a public matter, and if these facts alleged against Mr Nelson were true, if they could be supported in the letter or in the spirit, he admitted that it would be a matter, considering the circumstances of this colony, which it would have been for the public benefit to have inquired into, because it would be a matter of very considerable public importance in Nelson's position were not fitted for it. Could that have been shown he could not have taken, would not have been in a position to take, any exception to its being for the public benefit. But that was not the position that racter in writing, might vindicate it and seek had been taken. The truth of the libel was and that also before and at the time thought, might be found, he would say was the hauds of anybody but the person to aforesaid one William Jackson was and found, in the document which they alleged to whom it is addressed and referred. It was still is the Acting Chief Manager and be a libel, because therein, several times a publication to send it to any but that per-Company and was inspecting the said worthy public acts were referred to, his bit. they need not consider here. For all practhird person was a publication of the libel. In this case the publication appeared to have been in its being addressed and sent to Mr Jackson, the inspector of the Bank and one secution the onus of proving that the person who appeared to have written the letter was the person who really wrote it-the person whic is on his trial really wrote and published the libel. Then they had to prove, that the

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Nothing it the above Beale to affect private

JAB, B. COUGHTRD

jele Hongking, November 1, 1871.

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Houghong, May 18, 1880.

or instigating them to acts of sedition, into writing, and violation of the peace.

For instance, if a person gave a servant—a been, "I have awaited your arrival usual illustration—a bad character, in words | there had been a good deal of waiting;

it to be false, but for publishing a defamaposition of the Law on the point—

very narrow indeed in this case.

of his Lordship and using them as his own snake was libellous. This showed that one barrassed in his affairs, and that he died a letter, with malice stamp d so emphatior the party's own private interest, require | "8, Peddar's Hill, Hongkong, March 29th, instruct, or even amuse markind; he who indignity, that had been put upon him attains his object may justly be regarded as had been kept warm. It was not a regular trafficker in shares and other con- any person to have to stand in before a a benefactor to society, he who falls is not hasty production. It was not a case of a amenable as a criminal, however errone- man going home, in the heat of the moous his views may be, unless it plainly ap- ment scratching off something, and sendor benefit mankind, but to produce public | man might have pleaded hurry and haste. mischief and disorder by allenating men's A great many people did write letters in minds from their public or private duties, that way, and tore them up again; they by base or unworthy means, by destroying were wise in doing so. It was a great relief their religious faith, corrupting their morals, to the feelings no doubt to put our grievances -"Thereby meaning that the said Horace a justification of its being made? tumuit, and outrace, or to some other was a very wise thing to tear them up. great many people let off steam in that wav. That paragraph summed up to a certain | but in this case steam was not let off. Now extent a somewhat large branch of law. we shall see how long this awaiting had which were libellous, if the character was not | quiries had been made as to when Mr Jackgiven in such a way as to amount to special | son was coming, the matter had been malice, the occasion was privileged. Again | thought over and resolved on and so forth. persons might, as every one know, publish | "To bring to your notice, for the informareviews or criticisms in the strongest langu- I tion of the board of Directors in London, the age upon public men in their public acts, | conduct of your manager here, Mr Nelson so long as they did not publish them in such | [meaning the said Horace Harrington Nel-·B way as to show malice. There were a son who, without any provocation or reanumber of other cases in which it must oc- son, thought proper, at a meeting of the cur to everyone that plain speaking being | Hongkong Chamber of Commerce, on the clearly for public benefit was not to be held | 23rd ultimo." That would be the 23rd as libellous, as when a bad or immoral book | February; the letter was dated 29th March, was criticised in the strongest terms. These | so that, as nearly as possible, five weeks had were some of the cases in which the publica- | clapsed. "To indulge in a false and slantion of libellous matter was privileged and | derous attack upon me, coupled with somthat privilege formed a defence. But when impertinent remarks about His Excelthey came to look at the case that was now | lency the Governor of the Colony, [meaning before them, he would submit that when this | His Excellency Sir John Pope Hennessy. letter was published there was no privileged | K.C.M.G., &c., &c., the present Governor of occasion. Mr Pitman, so far as he knew, was | Hongkong |." Then he reiterated this in not a shareholder of the Bank, was not inter- | effect by saying-" Not only do the expressested in it at all, and the words and expres- | ions that he made use of warrant the above sions he used were not intended to bring down | description of them, [meaning thereby that on Mr Nelson's head a public punishment, but | they were false, slanderous, and impertinhe put it to them they were intended to bring | ent] but they were uttered with an evident down a private punishment. They were animus to which friends of mine who were written by an outsider, one not having the present are ready to testify." That was the slightest legitimate interest in the subject. first branch of this letter. He said there and bring about a private punishment. The | that Mr Nelson had indulged in a false and law on malice, as laid down over and over | slanderous attack on him at the meeting of greatest judges in a case of libel, the case | upon another gentleman without provocation where Sir Francis Burdett was upon his trial | and makes impertinent remarks on the Gov-The deliberate publication of a calumny of it. It was meant they should take notice know to be true, raised, in a plea of not | member of the Chamber of Commerce guilty, a conclusive presumption of malice. | virtue only of his office as local Manager of The clause under which this prosecution is | the Chartered Mercantile Bank; consequent-Vic., cap. 96, which has been extended to Chamber reflects directly upon the Bank; ed Mercantile Bank. about that, and the defendant knew it. of Mr Nelson from his post, then, the law | that passage, standing by itself? Were Mr Hayllar agreed with his Lordship. There | referred to his public conduct; they all circled was only one other point he desired to refer to around that. But now they came to a charge before coming to read the libel, that was the | wrapped up in darkness which might mean question whether or not this libel was false. | a very great deal or nothing but which find-As he read the Act, the faisehood or truth | ing it in a letter like this they would regard of this document could not be inquired into as a most serious deliberate and grave charge. laid down by Starkie. That author said (p. | racter, and was that which seemed next to of innocence; and therefore it is not required | penalty which seems to hang over a man alleged calumny; on the contrary, it imposes | any public part he may take-" I think it the burden of proving the affirmative on the | right, also, that you should be made aware defendant. The truth of the supposed aland- that Mr Nelson, again in virtue of his office er is in fact a ground of justification which is your representative, has long carried on must be substantiated by the defendant." | a bitter, active, and ceaseless opposition to Then the words of the Act to which it was | the Governor of the Colony, [meaning His important for him to call attention were also | Excellency the said Sir John Pope Hen-

again, was this:—that every man must be I the Chamber of Commerce, and the question taken to have contemplated the reasonable would be one for the directors to say-Are and probable results of his action. That | we to keep a gentleman on our board who was laid down emphatically by one of our indulges in false and slanderous attacks many years ago, (4 Baron and Aldernon). I ernor of the Colony? That was the meaning which a man knew to be false or did not of that. Then it went on-"Mr Nelson is a instituted is clause 5 of the Act 6 and 7 ly, any unworthy public act of his in the this colony. There were two clauses, one and it is thus the clear right and duty of that he was not writing in a public spirit ago: The Head Office is in London. of which was "If any person shall malici- the Directors to protect themselves against for the public good; he says distinctly that The Bank is controlled by a Board of ously publish any defamatory libel, know- | the discredit resulting from such conduct as | ing the same to be false," and the other | that of Mr Nelson," That was a very ugly | He had taken the pains to show his motive | and Acting Inspector and travels about enacts that "If any person shall malici- paragraph, It turned out directly that Mr by this paragraph:--"I should not have and reports on the Branches. He visited onely publish any defamatory libel." This Nelson was the local manager of the Charter- been disposed to trouble myself or you about thoughout on duty in March last. There was no doubt tory libel, and not caring whether it was stigmatised Mr Nelson's action as an untrue or false, not taking the trouble to worthy public act; which was a very libel. relations to myself nor any transaction. I ascertain if it were true. The question of lous expression and unjustified. ** Reflects the truth was not in issue before the jury: | directly on the Bank:" that was to say, on it was a defamatory libel, defaming Mr | the institution to which Mr Nelson looked Nelson, whether the writer knew it to be for his living. And then the letter pointed false or not. Reading the letter they had out the right and duty of the directors, for asked if he intended to give any evidence to simply to say whether they were satisfied | which no doubt they would be very much | that it was a libel on Mr Nelson, and that | obliged. What the clear right and duty of | to do so, because it seemed to him that one paragraph of the letter itself out from under it was published without caring whether it the directors was is not very clearly stated, was false or not, and they were satisfied he | but it was to protect themselves from the must have contemplated the probable con- | discredit resulting from the conduct of Mr | writing with a bona fide public purpose and sequences of his acts, namely, the dismissal Nelson. Now, what was the meaning of showed that he was admittedly writing in said the conclusive presumption of malice only one stick of a hundle of faggots, what he went on, -- "Under the circumstances, was raised. He had now gone over the did it aim at? What did that charge point have no alternative but to lay this comground in rather a long way; he would to except the removal of Mr Nelson? It | plaint before you." Had he no other alnot deal further with it as they would | might be that it was intended to bring upon | ternative? If it were a false, slanderhave the benefit of his Lordship's ex- him merely a severe censure, but they had to our attack that Mr Nelson made on him, read this whole letter not only by the light Mr Pitman hadhis remedy. There is no The Chief Justice: Mr Hayller, I give | which was afforded by each individual parayou notice that I think my functions are | graph, but by the illumination which comes | a remedy to any man who had a false and from the context. These three paragraphs unless there was a plea of justification, as is It also referred to Mr Nelson's public cha-98). "The law always presumes in favour | justify the observation he had made as to the of a plaintiff to prove the falsehood of an of an attack upon his private character for emphatic. Having point out:- 'That on the | nessy |. I cannot believe that such a policy is trial of any indictment or information for in keeping with the traditions of your bank a defamatory libel, the defendant having but even if it were, nothing could justify pleaded such plea as hereinafter mentioned, his gibe in a public association [meaning the truth of the matters charged may be | the said Chamber of Commerce | about the inquired into," it went on to say that it friendship with which His Excellency the should "not amount to a defence, unless it | Governor has honoured me for the last fifteen was for the public benefit that the said years [meaning that His Excellency Sir matters charged should be published; and John Pope Hennessy has honoured the said and that to entitle the defendant to give John Pitman with his friendship for the last evidence of the truth of such matters charg- | fifteen years]." Now that paragraph told its ed as a defence to such indictment or in- lown story. It could not be taken out fo formation it shall be necessary for the de- the setting in which it found itself, and other steps to bring it to the notice of the thing is being done." fendant, in pleading to the said indictment standing where it did he asked whether it directors." Well, Mr Pitman had been or information, to allege the truth of the was not obviously penned with the intention said matters charged." He read that in this to injure, and therefore with malice. Next, way that, as they were without that plet of they came, to a special and mischievous brought it to the notice of the directors ferences is to Mr Pitman. justification, the prosecution could not be call. charge which is not expressed in so many by bringing these proceedings. It had been ed on to prove the falsehood of the libel. It words, but which bore out the innuendo, the was for the other side to prove its truth, and interpretation, which is put upon it in the therefore they not having done so the false- information, "Further, I would suggest hood of it was presumed-presumed in fa- that, having regard to Mr Nelson's public your of innocence until the contrary was position as one of your staff, some enquiry shown. It seemed to him, that the trial should be made into the circumstances under therefore, so far as the evidence went, must | which he became possessed of a transfer of be a very short one. He came now to the al- certain shares from the late Mr Heaton on leged libel; he would read it with its innu- the eye of his (Mr H.'s) embarrasaments endoes and make such comments as occurred about a year ago. This was the interpreto him. He might say before going further tation they put upon it and asked the jury be in direct words. It might be by innuen- said Horace Harrington Nelson had so corwho was connected with a Benovelent lu- the date of the said letter, and his public dealing with the affairs of his Bank. It was justing. stitution, and the question was whether the position as such manager as aforesaid had a sort of anaconda coil spread around Mr The Chief Justice answered that jury could possibly take into consideration been injuriously affected." Now would Nelson's character, calculated to crush it Francis was submitting to dictate to the a fable or allegory, and it was, ultimately, prove that Mr Alexander McGlashan Heaton to annihilation. He could not say that Court. clearly decided that to call a person a trozen | was a sharebroker, that he did become em- | he had over seen or read in any book of such | Mr. Francis automitted that he was not.

indeed, be doubted whether Mr Nelson as a ed it? It was a terrible position for me," so largely and regularly in shares or other concerns as to cause him to neglect the interests of the said Banking Company aforesaid, and that the same were and had been injuriously affected." think that could be called a forced construction in point of fact. He thought it could bear no other construction. The word 'trafficker" might of course mean a person trafficking properly, but if it was intended to injure, it was a wonderfully skilfully selected word. He did not say it necessarily imported something more than fair traffic, because words were so large and varied in their meanings that they necessarily imported different things to different minds. The word trafficker might mean a fair trafficker. but we don't generally call people who deal fairly traffickers. The word had got a sort of nuance, and was put down in Webster's Dictionary as meaning "something mean or compromising in the mode of dealing. Standing by itself it might not be libellous, but the hint was conveyed that Mr Nelson could not and did not attend to his work. Considering what he had already said as to Mr Nelson's position of trust what could be the probable result of these suggestions and the one that must have been

contemplated when the letter was written f The probable result of such a charge, if accepted, would have been the annihilation of Mr Nelson as a Bank Manager for ever. He was bound to place the case before the jury on behalf of his client; he did so as temperately as he could. If he could see that the temper of the document was sudden anger, and a hit back straight from the shoulder, without any charge against it, he should have been very glad to do so and would have broght it before them. But, on the contrary, it seemed to him, this charge time, that period having been taken to rake up things, to pile together such a damning letter as could not fail of its effect, must hitmeeting referred to, for which neither his have ever had with the Bank had given him the slightest protext or justification." That was to say, Mr Pitman's private injury is the source of this ebulition. He had been show express malice. No, he did not intend

the defendant's feet the defence that he was it the prosecution of a private vendetta. Then doubt about that whatever. The law had slanderous attack made upon him. Therefore it was not a fact to say that he had no alternative. He had a very clear alternative. and one which, in the five weeks of the incubation of that letter, he might have been advised to pursue had he thought proper, It had been laid down in Kelly and Sherlook that you cannot set up one libel against another. The law said, you shall not take the law in vonrown hands. If a man gave you a blow in the eye the law would not justify you in knocking that man down, although if one were strong enough he would probably do so and would probably not be ounished or not receive any severe punishment; but one would be guilty all the same. Assuming that what Mr Nelson said was a false | and slanderous attack, that could never justi- | veroment in Hongkong. Now bearing in v a return blow of this kind. A remedy was I

the attention it demands and spare me the clusion something is to be done in this necessity of taking other means for bringing | matter, and I think, in the absence of any it to the notice of your directors." What communication from the Government, it is that means is this-"If you don't, so strong not unbecoming on the part of the Chamber am I, so strong is my case, so much do I to invite some little amount of confidence believe in the strength of my position, that | in the matter, supposing anything is being you (Mr Jackson) don't take notice of it, { done. I suggest the Secretary put him. don't bring it to the notice of the directors | self in communication with the Governso that they take notice of it, I will take ment and make an inquiry whether any spared the trouble. Mr Jackson handed the letter to Mr Nelson, and Mr Nelson had brought to the notice of the public, and ne- | fequally spontaneous. " Question objecter cessarily the directors would see it; there- to, and objection upheld after a long fore Mr Pitman had been spared that necessity which he hoped he would be spared.

observation he had to make on it was that it was a very skilful one, because it piled up charge by charge and step by step, until entirely away from the point at issue, it attained an exceedingly formidable whole. Mr Francis aubmitted that it would do He could not say, was this expression libel nothing of the kind, and that his Lordsbip lous, or that expression libellous. Perhaps ought not to have made such a romark. that it was not necessary at all a libel should to accept, -"Thereby meaning that the no, perhaps yes; but it charged Mr Nelson His Lordship then told Mr Brancis that with publicly misbehaving himself in two he would not be told by Mr Francis wha does, sarossm, indirect narration or refer. ruptly, dishonestly, or otherwise improperly or three ways. As regards Mr Pitman he ought to do and what not. If he had ence. A celebrated case of that kind and obtained a transfer of certain shares from personally he had misbehaved himself, and done group Mr. Francis should take the one which created a great deal of argument, one Alexander M'Glashan Heaton, who had as regards the Governor personally. Then proper course to have it put right. more learned comment he thought than it formerly carried on business as a share- privately he had misbelieved himself in Mr. Francis submitted to the Court's deserved, was one to which a ledy was called broker in Hongkong, had become embar- dealing with a dead man's estate, or the better judgment, whether it was right a trezen snake. It was the case of a Miss rassed in his affairs about a year before the estate of an embarrassed man subsequently, suggest to the jury that he was trying Hoar (the case was Hoar and Silverlock) said letter was written, and had died before dead, and he had misbehaved himself in divert their attention from the points at

words he would read a passage from a stan- could not conceal himself from the strong before this letter was written. The thing cally on its face and lying in every line. at Mr Francis' request as to whether the with any case that might come before them He did not know who formished those dard work so that they might have it clearly and long arm of law by hiding the real was to a certain extent, an allegory. What did the witness mean in his He asked them, to put aside everything documents; they had not been furnished in their minds what a privileged occasion meaning under an allegorical or sarcastical was meant he could not say; the meaning of not hasty, because time had been given to speech by equally spontaneous," should they had not was. The learned counsel then read the fol- expression. The frozen snake" alluded to the clause was of course entirely for the jury. reflect and every weapon which could be not have been allowed; a veral other quest Court house as to this case, its merits or been formished by the officers of this Court. lowing from Starkie, p. 790, 1869 edition:— the fable of the snake that but the hand of It was for the jury to ear, having this letter drawn from the armoury of a most skilful tions of the same nature were disallowed, demerits. Following his learned friend as The Chief Justice: If the documents in "There exists an important and numerous the person who warmed it into life. It was before them, and having this paragraph writer had been brought to bear upon this the cross-examining O unsel not being al- probably the most convenient course in proceedings of this Court are published class of cases, in which the law, consuling held to be a libel because it was a very standing, among others, all of which imputed gentleman. He should have been glad to lowed to ask any quest one as to the mean-seddressing the jury on this subject he came while proceedings are pending, it is a clear the general convenience and the exigencies common fable which those who wrote it and blame to Mr Nelson, in a letter which was have had a public inquiry into the whole ing of certain phrases in the letter. of society, extends a qualified protection those who read it would equally understand. Obviously a letter of a strong character, con- thing under the conditions laid down by law. The further evidence of Mr Nelson called their attention to the fact that in Mr Francis: Not the least doubt about dependent on the question, whether the That remark would apply to one or two taining such expressions as "unworthy That, however, was not according to the was to the effect that he knew that every case of libel or alleged libel there it. party has acted bond fide on an occasion portions of this letter, but not to many of public acts" and calling upon the directors making of the case and the issues before the Mr Pitman had some connection with the were two methods open to a man who con- The Chief Justice: Whether the Court recognised by the law, or has merely used the allegations, because there was no doubt to inquire into this transaction, with this jury. They could not so would take netice of it is quite another the occasion as a colour and pretext for the document was a very straight, up-and-suggestion which seems so very injurious, for this purpose it would not be right to nature. There was at that time \$50,000 yindicate his character. One was the ac. thing. I do not know that I should be ready doing mischief. This most important limit down, hard-hitting letter. The writer of that on the eve of Mr. Heaton's embarrass- do so, to go into circumstances of which he sought to recover damage to do anything of the nort in a case like tation seems on principles of public policy, this polished instrument or document ments something took place—he asked the had had no express notice. He should farmer; Government had the receipts; it for the injury he might have received, and this. Was that only on one side? Was there already adverted to in discussing the seemed to have weighed with the utmost jury whether it did not import a charge, have been very glad to have known what was a guarantee. He continued,—" Mr the other course was to take proceedings by only one paper that did that? grounds of civil liability to extend to all deliberation, every word, using the most which to the minds of the directors, living this fact connected with Mr Heaton's estate Jackson made no enquiry on the subject a criminal prosecution such as Mr Nelson Mr Francis: One newspaper, my Lord. publications made in the fair discharge of | temporate words where they would suit and as they do far away,—and they must recol- was. They did not know in the least in matter of Mr Pitman's letter. As a broker had chosen, in which he could not the China Mail, has been conspicuous and any public or private legal or moral duty, using very strong expressions where they leet that this letter was intended specially point of fact, but he should have been very Mr Heaton had share transactions with me. recover damages and in which the has given prominence to the fact whenever of which the ordinary exigencies of society, were essential.—The letter is dated from, for the edification and instruction of the glad to have bought and sold only object to be attained was the it has mentioned the case that Mr Pltman Directors—an impression that Mr Nelson to have inquired into and explained it. shares, for myself and for the Bank's punishment of the defendant. In an was liable to a year's imprisonment and the performance. This principle seems to 1880," and was addressed to "William had done something dirty, some comprehend all publications on subjects of Jackson, Esq., Assistant Chief Manager, moral or corrupt. It is impossible to formu- charge. It was the defence which had transaction in the nature of time bargains, not succeed (and this was a matter to which Pitman's mouth being abut under this mode. author possesses an interest in common tile Bank of India, &c., &c." It was thus had to consider was what it was meant to enquired into, if they believed three was which a settlement was to have been made tion of the gentlemen of the jury) without remarked that the statement that had been with the rest of the community. Every a formal document. It began-"Sir, I effect. Then the letter proceeds and on the law truth in it. The truth not being by the receipt or difference, either on my himself going into the witness box and made that the reason for the criminal proone, as it seems, has a right to publish that have awaited;" there was the key note, same lines, so to speak, because the para- pleaded in justification, what became of own account, or on the account, or which, in his opinion, will tend to enlighten. The writer's wrath had been nursed, the graph just read led up to this:—"It may, that letter and the malice that dictat- other person, so far as my memory serves of every single charge, good bad and itself could not but recommend itself to

corns, is able to devote that undivided at- jury of his countrymen, with that libel tention to the interests of the Bank which before them unjustified. It was not for him its shareholders expect, and whether such to say more than that. But what was to be pear that his real object was not to improve | ing it off at once by his coolie; such a | occupation is within the legitimate sphere of | said about charges like these—that charge action of a Manager of a Chartered Bank," | about Mr Heaton especially? What was to That was simply an indirect way of putting | be said of that charge if it were made and it that Mr Nelson was a regular trafficker in | sent to this gentleman's directors without shares. The innuendo put upon it was this: such ground as could be laid before a jury for Harrington Nelson traded or trafficked Mr Francis was sorry to interrupt his Mr Hayllar read sec. 2 of ord. 6 of 1864 (an in the imputations that had been made. to enquire into the truth or otherwise of learned friend, but he submitted he was not ordinance to render admissible in certain | 1 he had suffered any injury the jury then | the charges Mr Nelson was so anxious they

> jected to were given. Mr Francis waived the objection.

Who steals my purse steals trash . . . But he that filches from me my good name. Robs me of that which not enriches him. And makes me poor indeed.

and hackneyed quotation-

Fatal charges like this, calculated to ruin a man's character, ought to be justified or not made at all. What were these matters which were to be inquired into by the directors, if they could not be inquired into here by a jury? Where was the evidence that Mr Nelson could not attend to the duties of his bank? Was that a light charge? It was a terrible charge. It was a charge of a nature which he had seldom heard of before in his life, never in fact. charge came of malice. A mere outsider a few words being said of him at a public meeting was to clear Mr Nelson out of the place root and branch. remarks arose out of the letter: he had not said one word outside that letter. There were many things he might have referred to, but which he thought it better to bury in a disorcet silence. There were points which he did not wish to raise. He put it that this was an attack on a man's character and on having been brought five weeks after the the face of it, vindictively made. He then proseeded to call evidence.

Mr H. H. Nelson, said: I am the manager of the Chartered Mercantile Bank the mark right in the centre of the bull's India London and China, and have been so eye, then it must have been calculated to for the last six years. I commenced my have such an effect. Mr Pitman showed business life with the bank sixteen years he is writing on account of a private injury. Directors. Mr W. Jackson, is Secretary Jackson handed me the letter produced just as it is, with the exception of the underscoring. This was on the 30th March, the day after he got it. Mr Jackson has now gone home to England. I know Mr Alex. MacGlashan Reaton. He was a broker in this Colony, he is now dead. He died in the latter end of 1879.

Cross-examined: -- The Chartered Mercantile Bank is: ues notes. It also receives deposits from customers generally. Bank is a member of the Chamber of Commerce, and I am the Bank's representa-The Bank pays the subscription. I am also Vice Chairman. I was present at the meeting of February 23rd. I made several speeches at the meeting on the 23rd February. The Report shown in the Chamber "book" is, I believe, taken from the newspapers. I presume it is approved by the Secretary. I am a member of Committee. I see a report here

a speech I made. Mr Francis: Will you read it? Question objected to and argued; objecttion overrul-Report put it and read. Mr Francis read-

"Mr Nelson .- 'n the absence of any ommunication from the Government on the subject, the Chamber is hardly entitled to consider that the question is before them. I learn from Chinese sources that the Memorial which was presented the other day was got up by a gentleman rather well known in the Colony, who is in the amploy of the Japanese Government, and who is more or less mixed up with the Opium Farm and other matters in the Colony, and who is on very intimate and friendly terms with the head of the Gomind the manner in which equally spontaopen. Mr Pitman then closed his letter with neous expressions of opinion on other something in the form of a subdued threat. | matters have been utilised in the Colony He says-"I trust you will at once give it I think one may justly come to the con-

That is a tolerably correct report of what I said. Each and every one of these re-Question put "what do you mean by

argument. In this argument His Lordship, address-That fluished the letter. The only other ing Mr Hayllar suggested that one object in goldg into a long examination on this point would be that it would take the jury

Mr Blogg proved Mr Pitman's signature. The Court then adjourned for tiffin.

THE DEPOSITIONS OF ME JACKSON'S EVIDENCE NOT RECEIVED.

On the Court resseembling.

one to appear in his behalf.

Police Court.—Ed. C. M.

devoted his attention to the Bank.

son's management of the Bank Witness: Certainly.

Witness: I have. dare cay I have.

Mr Brereton: You have sold shares? Witness: Yes, I do not have them now. Mr Brereton: Do you consider that there ouying shates?

thing wong in the manager of a Bank buying theres if he has money to pay for

THE CALE FOR THE DEPENCE.

ask him if his Lordship would allowhe was present at the meeting.

question for himself. MB FRANCIS APERCH.

had told them in opening this trial it had ment. His learned friend had asked him and he asked them to put all that eside and to consider only the matter as it came before them here to day; that was he did not ask them to cast out from their minds, nor did he think his Lordship would ask them o lay on one side that general knowledge they had of the history of the Colony. ters of notoriety that they were quite verseen; the papers in the case copied out person here. It was open to any to have

first to point out that his learned friend contempt of Court.

the last two months could say Mr Nelson and his friends. more extraordinary proceeding than the Commerce, and with reference to his whole especially perhaps of the last two or three way in which the case had been conduct as a public man, these were matters. years. Within that time there were mat. put and kept before the public he had no open not only to Mr Pitman but to any

thing else. And this was a criminal

The point was reserved by his Lordship, | entitled to take into consideration in dealing | cerbatim and produced and reproduced.

indifferent, made against him in the him as a very extraordinary statement. It libel. One would naturally suppose, if was an attack on Mr Nelson's private a man wanted to thoroughly clear his character with deliberate intent, they were character and to disprove everything al- told, to irretrievably ruin him in his leged against him in this leter, which he business. If this were so, why did he characterized as a libel, he would have not take those proceedings which would instituted that form of proceedings which compensate him for his injuries instead Mr Hayllar tendered the depositions con- would have allowed him to go into the b. x f bringing these criminal proceedings. taining the evidence of Mr William Jackson and testify on oath, and satisfy his superi- which could secure neither the one nor taken before the committing magistrate (Mr ors, the Board of his directors and the the other, compensation nor vindica-C. V. Creagh) on Wednesday, March Sist, public that there was absolutely no truth tion. The jury in this case were not entitled to go into this branch of the subject. cases the depositions of witnesses who would have given him compensation for it, were told to free himself from, and could The Chief Justice said he could not take | c.nnot be produced at the tria!) "by which | If the tendency was to injure him he would | therefore give no deliverance on the matter; confided to his care as such Manager as any objection unless the precise words ob- whenever it shall be proved by the oath of have got nominal damages and he would so that any person who chose to believe any credible witness or shall in any other have had a verdict if the jury were that there was truth in these imputations manner whatever appear to the satisfaction satisfied that it was so that the state- was left quite at liberty to do so, because Mr Hayllar proceeding said he did not of the Supreme Court, that the Attorney ments had no foundation in fact, that their verdict did not and could not in any wish to say anything that was improper, General or other person conducting a they were entirely false. In bringing a way settle it. Now, he asked the jury to but in this case there were matters put criminal prosecution on behalf of the criminal charge and that under Lord Camp- consider with him this alleged libel, and away. Bring them out into open Court and | Crown is unable to produce at the trial of | bell's Act, as he had done, the prosecutor | he had to say at once, after taking into coninto the light of day, and let them see what | the accused any person as a witness in con- disposed of himself entirely from the neces- | sideration what fell from the Bench, that they were. Put them in black and white, sequence of his absence from the Colony sity of giving any evidence whatever of the the defendant had not thought he would Bring them all forth out of the dank hiding and if it shall also appear that such person falsehood or truth of the charges against be justified in alleging in any shape or places, the places where these dark fungi was examined before a magistrate and him, whereas the defendant elects to pro- form the truth of any of the matters regrow on people's reputations. Reputations that the examination was taken in the coed on it and asserts that it is true. In ferred to in that letter. Some of them are sacred things. According to a very old presence of the accused and that he a civil action the defendant could go into cannot be justified by the defendant on the or his Counsel or his Attorney had the witness box and give to the jury and ground that it was entirely out of his a full opportunity of cross-examining such to the public his explanation of the whole power to prove that they were true. They person and that the examination of such case from his own mouth, and he would could not plead any justification for this person was reduced into writing and read have been able to tall them why he had libel, if it were a libel. It was hardly Mr over to and signed by the person examined said this and on what foundation he had Pitman's business, even if it were in his . it shall be lawful for the Court and it based it, how he had received it, and power, to do so in this formal method; the is hereby required to allow to be read and it would have enabled the jury to judge question was a public one, under what cirreceived in evidence so much of the said between himself and his opponent. But cumstances then had this arisen? In ex imination as would have been admiss. In these criminal proceedings the defendant | what way were they prepared to defend ible had the said person been produced was completely shut up, he could not themselves from the present charge? This and examined before the Supreme Court make a single statement to the jury, nor was a letter written to Mr Jackson, Mr in the ordinary and accustomed manner." was he as the Counsel for the defendant to Nelson's superior officer, as Mr Nelson Mr Hayllar contended that while he tell them anything his client had told him himself told them, an Impector of the appeared on behalf of Mr Nelson as a nor any explanation he had given him of Bank here, with the right, title, and anprivate presecutor, he in fact did appear his conduct. One would think that if Mr | thoulty to enquire into on behalf of the on behalf of the Crown, all criminal Nelson had been so extremely anxious as his directors everything in fact connected prosecutions being in name of the Crown, counsel had represented him to be to clear | with the management of the Bank here, the case being Regins v. Nelson. He re- his reputation and to vindicate his character | with, he had no doubt, and he believed r ferred to No. 3 of 1865 in aupport of that he would have adopted that method they would also understand, not only full which in every possible view of the case power to report, but it is plainly declared Mr Francis objected to the admission of provided the most thorough and complete his duty to report to the directors the depositions on two grounds. First it mode of clearing his character from every | and even to suspend Mr Nelson, therefore did not appear that it had been read over aspersion that had been cast upon it a person to whom such a complaint could and signed by witness. The charge then Instead of doing so he adopts this course of lawfully and properly be made, a person before the Court was under Section 4 of proceedings in which he shuts the mouth | who had an interest in the subject matter, Lord Campbell's Act; the charge now was of the defendant entirely; he seeks not who could investigate the matter in the under Section 5. The grounds of defence such a complete clearing of his character, minner he thought most advisable while would naturally be different under these such a justification as would have been he was here on the spot, who was the two sections; the line of cross-examina- given him by a verdict in a civil action, but | only individual here who could do anytion different. There had not therefore zealously seeks viudictive punishment which thing, who was fully empowered to do been full opportunity of cross examining would bring no satisfection to him, the whatever he thought fit to right what he the witness then; no opportunity at all in | vindictive punishment of the defendant. | found wrong. It could not be thought fact. Another ground was that his learned If he had to illustrate as he would have to for a moment, whether it was in Mr Jackfriend did not appear to prosecute for the do later on in his speech the two terms of son's power or not to suspend Mr Nelson. Crown. The Attorney General, who was law, malice in law and malice in fact, he did that it was not his interest to know the the only one authorized to appear for the not think he could find a better illustration | facts alleged in this letter, so that he Crown, did not appear in the case and had than in these proceedings. While the action | could have taken whatever steps he might told the Court that he had instructed no which Mr Nelson had taken in this matter have thought fit to put these matters was not malicious in point of law—he could | right. This letter was not a communica-The Chief Justice : Cui bono, the evidence not be acting in malice in exercising a tion made to the public papers or to any right which the law gave him-he thought | person not interested in looking into the Mr Hayllar: Well, my Lord, I do not he might fairly say it was a malicious pro- matters there referred to, but it was a press it. That is the case for the prosecu- ceeding vindictive in point of fact, a course letter addressed to the one person to not adopted by a man who merely wanted whom such a letter could be addressed, The Chief Justice: I quite see. Mr to vindicate his character before the public to the one person authorised to make, or Francis, some portions of it that it might and his superiors, to clear himself from primarily qualified to ask the Directors have been advisable even for you to have aspersions that had been cast upon him, to make, such enquiry as seemed to the but who vindictively desired to see the writer of this letter to be advisable in the Mr Francis: In a civil case, my Lord, defendant punished. The whole founda- interests of the Bank. The letter which tion of what he might call this antiquated contained the alleged libel had first by f to explain the remarks in the above con- form of proceeding with reference to scan- himself he believed, been divided into three ve sation we reproduce our report of 31st dalous and defamatory publications with or four parts, which division, he observed, March of Mr Jackson's evidence in the reference to any man were calculated to his learned friend followed. He would deal lead to a breach of the peace. When with it now on the same lines. He sub-Mr. William Jackson sworn said: I am | men carried swords they set their mitted the 1st and 2nd paragraphs which n the service of the Chartered Mercantile | Characters right on their sword's point. | referred to a speech Mr Nelson had made Bank and am at present inspecting the When the swords ceased to be carried in the Chamber of Commerce; they had Branch Banks in the East. I received there was a reference to the laws of honour; heard it read. In that accept, in every this letter produced some time in the after- that honour outraged there was a challenge sentence of it, as Mr Nelson had told them noon of Monday, the 29th. It is signed and an exchange of shots. But the whole in the witness box, he referred to Mr Pit "John Pitman." It came with the chit system of duelling, had departed; the man. They had heard that document read book; one of the boys brought it. I whole system of personal vindication of and they would return to it again t but he answered the letter yesterday. I have outraged honour had dropped into disre- would respectfully submit to his Lordship heard the paragraphs you read. There is | pute. Even the later remedy, the resort to | cortain authorities and he would ask him to certainly no truth in them. There is no the horsewhip had gone too, it had been direct the jury on the question of that truth in the statement that Mr Nelson has ridiculed and laughed out of existence speech, whether that speech was or was not been a trafficker in shares and has not and received its final death blow is all Mr Pitman believed it to be still that the recent case of Labouchere v. Lawson. speech having been made with reference to Mr Brereton; The letter does not may There was not the least danger that Mr Pitman, and the speech being as that he has not. It is a more expression of this alleged libel said to have been per- irritating as it was, to say the least of it. petrated by Mr Pitman would have led to whother Mr Pitman was justified. whether Mr Johnson : (to witness) - Are you as a breach of the peace; none whatever, the had not a right to address on the subject. Inspector perfectly satisfied with Mr Nel- But Mr Nelson came forward now to vin. Mr Jackson, the travelling inspector of the dicate the majesty of the law and to prevent | Bank, the matter of the public conduct of himself from avenging himself and inflicting Mr Nelson, being a matter in which he Mr Mr Brereton, in cross examination: You one of those fine days, an assault on the Jackson was to the utmost interested. In have been manager of a Bank here yourself? | carcase of Mr. Pitman, he comes forward | which it would be his duty, anything being and in the name of the law brings exposed to him which was frequier, to find Mr Brereton: You have purchased this charge criminally. Would he fault with Mr Nelson, to reprimand him as have done this if his only object was the severity of the irregularity called for, or Witness: I had better may I have, for I to clear his character with the public as he had said, even to suspend him. That and his superiors? Would not that have this was simply a complaint, pure and been done a thousand times more effect simple and privileged, which was one of the tually by an action for damages, and at grounds on which he intended to rely. It the same time they could have made this on. was simply a complaint made by Mr Pitman is anything wrong in the manager of a Bank | quiry they pretended to Court full, formal | who rightly or wrongly considered himself and searching. His learned friend posed, aggst: ved, to a person who had the right Witness: I do not think there is any. for bimself and his client, as actuated by and duty to enquire into the mutter, and the most dignified and noble feelings, should the facts warrant, to reprimand His learned friend had explained to Mr Nelson. With reference to the second hem the difference between the criminal portion of the letter, he would submit that proceeding on which they were now enga- the public conduct of Mr Nelson, as taking Mr Francis desi ed to call Mr Ryrie to ged and an action for damages for libel; part in the public affairs of the Colony, was but he had been careful to ex as open to comment in the same way and although he presumed from his Lordship's plain it to the jury from his own in the same degree, as Mr Nelson was at ruling on a point already raised what his standpoint. They must very plainly see liberty to adopt and to advance any opinion understanding was of the speech made by that this criminal proceeding made it pos- he thought fit on a public occasion on H.R. Mr Nelson at the Chamber of Commerce : sible for a more vindictive course of the Governor. The moment Mr Nelson action being taken then any other method came forward as a public man and ex-The Chief Justice said he had read his of proceeding. They might plainly see pressed himse's by his tota or words as evidence. Me Hyrie did not go into the that the institution of criminal proceedings opposed to the policy of H. R. the Gomeaning of Mr Nalson's speech any further at all was a far more vindictive proceeding vernor, that same moment, he would subhe thought than any man of ordinary than any lotter that ever was written by mit to the Court, did Mr Nelson submit to common sense gould do. It was his inter. Mr. Pitman or anybody else. He spoke lay himself open to the public comment of pretation of how this speech - Mr Melson's of Mr Litman's connection with the every man in this Colony or elsewhere. remarks described as containing a gibe a Opium Farm, with the Chinese, with and invite oriticism upon his public very emphatic word-was to be taker He the Japanese; these people around us acts and sayings; that same mos believed any man of ordinary common were quite ignorant of our law and of ment every man became entitled in some was quite capable of answering that our working of it and they could not the same proportion to express his assent to. understand these Mr Pitman, omission or dissent from Mr Nelson's views bis no distinction between a criminal charge opinions as to the wildow or nawisdom. Mr Francis said that as his learned friend for murder and a criminal charge for any- propriety or impropriety, of so differing from the Governor. Putting himself forward as caused, he had no doubt, in the Colony a charge, punishable by fine or imprisonment, a public man, like every public man who great deal of interest and possibly excite. as Mr Nelson and his friends had studiously puts bimself forward in political or other and industriously kept before the public for matters, he invited criticism of his public acts and speeches, it was to the interest of Mr Hayllar did not know if Mr Francis the public that all public sets and appechas should be justified and discussed, and no Mr Francis said he might perhaps be question had been raised as to the words wrong in describing the China Mail as a used in that criticism. With reference to friend of Mr Nelson's but certainly a Mr Nelson's speech in the Chamber of

by any man to the public press was The Duke of Wellington at his Club, for cationjustifiable and proper, it could not be said instance, was not a good subject. that a letter written by a public man who had been attacked by Mr Nelson, and addressed to a person intimately interested in the matter, and from whom some reasonable redress might have been obtained, he being empowered to visit any irregularity with more punishment, however slight, came under the same privilege with reference to that speech in the Chamber of Commerce, incorporated now in the body of this letter, he would ask their careful attention to what it contained and he would for the public good that Mr Nelson should ask them in considering, to bear in mind devote his whole time to the affairs of the what the history of this colony has been Bank, and could have shown it, which is a for the last three years, so that they might very different thing, it would have been enfairly consider what meaning they were to tirely different. put upon these words. Mr Nelson was the Governor. Mr Pitman shared; so much so that he had been made the subject, in the newspapers of this Colony of as much if not greater abuse than any man now living in the East. Mr Pitman was charged in the columns of one of the local newspapers with practically swindling the Opium Farmer of a large amount of money; it was represented that Opium Farmer was anxious to have Mr proceedings could be taken against him; why should any one in that Chamber of Comence to Mr Pitman such as Mr Nelson had used? Why was Mr Pitman dragged into one that an editor might have made the Coxett and Richards, in which latter different from that brought by Mr Nelson, the matter at all? Or if he had for Why instead of discussing logitimately the legitimate question of the legalisation of a public point of view, that he should it was held it was a privileged occasion. the Japanese yen as currency here, be allowed, to speculate in shares and He left the case in his Lordship's hands, whether it was a good coin and whether the Colony could confidently depend upon might be taken to be proved that he there was no evidence of express malice. its purity being upheld by the Japanese did not gamble in shares. It might be Government,-Why were these references made that he had mentioned? It was an attempt to work on the prejudice known to exist against the Governor. Why refer to "a gentleman well-known," "an intimate friend of the Governor," and "mixed up with the Opium Farm and several other matters," "in the employ of the Japanese Government" and so on, save to utilise to the utmost the prejudice existing against the Governor, and through him against Mr Pitman as a friend of his, and to prejudice those who heard him further against them, and egainst the proposal with which the speaker alleged Mr I itman to be concerned the legalisation of the yen, a question which should have been discussed as he had said without reference to such differences and prejudice. What was the effect | of these references on those who heard them and on those who read the report in the newspapers? Any one who read the account published of the meeting could not fail to see that that was a deliberate attack there was anything wrong about it. With upon Mr Pitman by Mr Nelson. Whether well-founded or ill founded there they had an attack made publicly on Mr Pitman by Mr Nelson, in his place in the Chamber of ship on the authority of the case of Laughton v. Sodor and Man, to which he would more particularly refer by and bye, that Mr Pitman, writing in self defence and in reply and disproof of an attack made publicly on him by Mr Nelson, would have been justified in characterising in the public prints next day, the speech of Mi Nelson as false and slanderous, and if that were admitted, then much more was justified in, not discussing the matter through the columns of a newspaper as was entitled to do, but addressing in private and confidential manner only one man, he being Mr Nelson's superior, qualified and entitled to look thoroughly into the conduct of Mr Nelson in the matter, and act as he thought fit on what he discovered on enquiry. The Chief Justice pointed out that in

the Manx case the Bishop was not only justified in using strong language in his own defence but was justified even when he became abusive.

Mr Francis agreed. The Bishop used much stronger language than Mr Fitman had used in his letter. Mr Laughton, barrister, had made certain statements affecting his Lordship before the Keys, the Parliament of the Isle of Man, and the Bishop in convocation had described his assertions as false and slanderous statements, and had referred to Mr Laughton as a calumniator and a wicked man. not only addressed his charge to his clergy, but sent copies to the local papers. It was decided, that quite apart from the question whether what he alleged in his charge were true or not, he was justified because he had acted in self defence, because what he had sald was in answer to an attack first made on him by Mr Laughton, that the occasion and communication were privileged. Now he came to the third and fourth parts of the letter. His learned friend had admitted that were there a word of truth in any imputation that may have been made, as to the propriety of certain transactions between Mr Nelson and Mr Heaton, or with regard to his traffic in shares generally. Mr Nelson would be unfit for the position of high trust he held here. His learned friend therefore admitted that it was for the benefit of the public that such a discussion or enquiry as Mr Pitman's letter auggested tion, chartered and privileged in this Colony its Managers publish accounts not merely for the shareholders, but for the public, and they were circulated all over the world. He submitted that the proper management of the local Branch of that Bank was a matter of public interest to every person who might be a depositor, who might hold the notes of the Bank, or who was in any way interested in the trade of this Colony; he was interested in sceing the Bank prosperous and seeing that its local Branch was properly conducted.

There were now, however, the questions of that privilege covered the letter to Mr. weigh with any human being, whether it not been for that attack he should not these references in the letter to the affairs Jackson which Mr Pitman wrote, it being Governor or other. Then, again, there have troubled himself or Mr Jackson, he

submitted was a public institution, the entitled to a verdict of not guilty. He sign such a memorial, and if so, it was all the meeting referred to." He winds this disposed to let them fight it out—a remark whether I am doing right or wrong the Vale of Nith. public acts of its manager being a fit sub- quoted from Starkie again to show that the better: that was a perfectly legitimate up by saying 'under the chromatances I which His Lordship regarded as full of case is a difficult one. The sentance is

Mr Francis: But if the Duke of Wellington stayed so long at his Club day by day that his duties at the Horse Guards ran a great danger of being neglected, it was then a fair question for public discussion, not what the Duke did at the Club. but whether this state of things should in the interest of the public service be allowed to continue.

The Chief Justice: If he had said it was

then have been a perfectly fair question for discussion, to be initiated by any the same rule was observed, one in the public press or by the editors, Institutions in our midst had taken part in himself in the last clause of his letter, a most respectable and legitimate business, | called Mr Hayllar's attention to the pile of but it was equally a fair question for dis- books around him. cussion; were his hands perfectly clean the tion whether the directors should allow torily to-morrow morning. their manager to engage in traffic in shares | Some discussion arose as to the right of on his own account. And if it was a ques- Mr Hayllar to reply. ors who had it in their power to put a stop | the authorities cited. to it. Mr Jackson, to whom this letter was addressed, had it in his power to report this matter to the directors, it was his duty in fact to look carefully into the matter and to report it to the directors. What had Mr Pitman done. He had not as he might have done rushed into print with his views on this subject. He had not talked all over the town about the matter, but he had written a letter about it to a gentleman just arrived a couple of days before, who had the right and power to enquire thoroughly into this matter, and see whether

regard to the charge of buying and selling shares, which was simply what trafficking in shares amounts to, he simply sug-Commerce. He would submit to his Lord the Directors of the Bank, whether it was flatly contradicted the Court; and then substantiated, therefore, the argument a right and proper thing for the Bank decided that Mr Hayllar had a general that the defendant's mouth had and for enquiry. That being so and he made up his mind what he was to say to fendant's Councel had asked Mr Nelson having addressed the letter only to Mr | the Jury on that point. Jackson and to the Board of Lirectors, Mr Hayllar then replied. He maintain- able form of shares known as time bargains. he contended that it was no libel, the ed that the reason why they were there and Mr Nelson had replied that he never writer being privileged in communicating was that Mr Pitman had attacked his had had one such, and had never had with those parties who were interested in client in his professional character, the anything to do with a time transaction the subject matter. He went to those very points on which a man holding Mr | which depended upon a margin to be paid who were best able to know their own Nelson's position was most sensitive—in or received. When the prosecution had adviser of half the people of the Colony, one or two observations suggested by the committed a very grave offence; and the the Bank,—that he should make such a February last, when the subject of dis- were all exceedingly indebted to His Lord the trade of Hongkong and Japan, he in which he referred to Mr Pitman in to privileged communication. He hoped of privileged occasion. Mr Pitman was by Mr Nelson in his public position upon tion, said :--

famatory, but for these he claimed privileged employ of the Japanese Government was, wrote the letter with the intent to injure is that? It may or it may not be to de- deal more than it uttered t whilst the passhould take place. He should ask his occasion. The question whether the oc- if true, an honourable circumstance, as then Mr Nelson in the opinion of his employers. fendant's credit. Who is more or less asge of the libel referring to the trafficking Lordship to direct the jury that the Char- casion was privileged was one for his Lord- defendant would be a colleague of some of The letter begins by complaining of a mixed up with the Opium Farm;" some in shalle, specially having regard to the tered Mercantile Bank was a public institu- ship, and it was for the jury to say, if this the first men who have come out to the Mr Francis said about the Laughton o. of the Bank. Mr Francis then referred to being on intimate and friendly terms with of Mr Pitman's wrath i-he here gives as Sodor and Man case was very import. the authority of Starkie on qualifiedly the Governor would naturally give his reason, his only reason for troubling and so far as the first two paragraphs privileged communications, p. 508, where importance and weight to it; any repres himself or Mr Jackson shout Mr Neison

over to Mr Nelson.

Jackson, not by Mr Pitman.

ply nothing clae but gambling on a gigantic but did not prove express malice. The

Mr Hayllar said he would be able to same right remained to discuss this ques- deal with them he thought very satisfac-

was much more a subject for the direct as the defence had put in evidence, and on prove? Regarding the inquiry as to the Court adjourned till 10 a.m. to-morrow.

> Wednesday, June 9th 1880. REGINA versus PITMAN. JOHN PITMAN CONVICTED FOR LIBEL AND FINED \$50.

On the Court being opened, Mr Francis continued his argument as

or could not reply. The Chief Justice complained of the with Mr Nelson's functions as a banker, manner in which Mr Francis had quoted that was a mere matter of inference; and gested to Mr Jackson, and through him to some of his authorities and also for having in view of the specific charges to be to allow their manager here to do. Mr right to reply; adding that Mr Hayllar closed fell to the ground. There was Pitman bond fide believed that it was a fair need not address the Jury on the question one piece of evidence of some imporsubject for discussion, for consideration of privileged communication, as he had tance to which he had not objected. De-

to the question whether Mr Hayllar could

business, and simply called their at that particular opening where the thrust such a piece of evidence, brought out tention to the wisdom of consider- passed through the joints of the harness. Mr Francis for the defence, nothing could ing the question; whether their agent Mr Francis had very ably and ingeniously be more calculated to show the extreme should devote his whole time to the argued that his defence mainly rested on recklessness of the charges made. He (N interests of the Bank and not cogage the fact that the letter was a privileged Hayllar) had already said that when a libe In outside transactions. The Banker's communication; but as His Lordship had was defamatory because the writer had not confidential position, the trustee to some already intimated that he had made up his taken the trouble to inquire whether it was extent of the depositors, the financial mind on that point, he would merely make | false or true, the writer of such a liber cognisant of the affairs of all the custom- piece of evidence put in by the defendant's gravity of this charge was sufficient exoneraers of the Bank, should be allowed to deal Counsel. Mr Nelson, at a public meeting | tion for his client for having vindicated his in shares and do other business outside of the Chamber of Commerce on 23rd position by a criminal prosecution. They suggestion could not be taken in any way cussion was the introduction of the Ja- ship for shortening the proceedings and as a libel. Mr Pitman was interested in panese yen as a coin, made some remarks, saving them from going over the ground as was connected as adviser with the opium | certain descriptive terms. | Whether these | that the Jury would come to a right and farmer, and as a resident here he was in- terms might have been less scathing, less terested in the subject matter of the let- ambiguous, or less sarcastic, it was not for ter and was fully entitled to the benefit | them to consider. The remarks were made | to the question of privileged communicaprivileged in the letter he wrote if he a question which was fairly before the believed it was true and apart altogether meeting, and which had a peculiar interest that this letter to Mr Jackson was a from the question whether it really was to his client as the manager of a Bank. It true or not. In justice to Mr Nelson it was of importance also to the Chamber, this was made by Mr Pitmau in the discharge was only due to Mr Nelson to say that so far introduction of a new coin; and the allusion of some public or private duty, legal or as Mr Pitman knew, so far as anybody knew, was in reference to a memorial which had moral, in matters wherein his interest whatever transactions he had with Mr been presented to the Government by is concerned, or Secondly, that it was Heaton there was nothing whatever in certain people, including some Chinese, privileged as having been made to them, so far as they knew, to reflect on Mr Nelson was commenting upon that fact Jackson in the honest belief that it was him in the slightest. It was not their at this meeting of the Chamber of Com- important to Mr Jackson, the person to intention to justify what would be the in- merce, and he put this consideration, whether | whom it was made, and that it concerned sinuation of that passage in the letter. the memorial alluded to expressed a the interests which he represented. The But he defended that parties of the letter genuine want or whether it was for conduct of Mr Nelson complained of does because Mr Pitman honestly believed it at | warded in compliance with the wishes of | not come within the former category, and the time to be true, and regarding Mr certain people. This was a perfectly am of opinion that it does not come within Nelson as the manager of a public in- legitimate subject of comment and a very the latter, and that on neither ground stitution bond fide put it before Mr Jackson, legitimate thing to do; while it really the letter "privileged." I am further of and Mr Jackson only, believing it to be Mr | conveyed no charge of moral obliquity opinion, that, giving Mr Pitman credit for Jackson's duty to enquire whether there was sgainst Mr Pitman. To say that the de- absence of malice, but in so far as he shows anything in it. He admitted that there fendant was "well known" was not libel- it in the communication, there is in the were certain passages in the letter de- lous; and to state that he was in the letter abundant evidence that Mr Pitman was a privileged occasion, if there was that | Kast-Mr Lay and many others. To say, Mr Nelson on him. It complains in angry proof of express malice which took that again, that defendant was more or less terms of the "gibe" at him in the publ privilege from him. First, however, there mixed up with the Opium Farm was no meeting. I attribute to Mr Pitman that was the preliminary question whether discredit one way or other; and to state he used the word advisedly, it is a scoff, an there was or was not any evidence to that he was on intimate and friendly terms go before the Jury as to the malice with the Governor surely implied no reor otherwise of the writer. There was he proach. This was said to be a gibe, but if contended no evidence on the matter. The they looked at it carefully, the jury would letter was not, he submitted, one that had find that it was not sc. Here was hir Pitman, been written to make mischief but a in the employ of the Japanese Government, bona fide business letter auggesting certain who were the persons seeking to introduce If the introduction to the letter does not enquiries in the interest of those to whom the yen here; that made it important, he wrote. He suggested nothing wrong or and furnished a sound and proper reason clous anger, the last sentence but two of irregular in Mr Nelson's conduct as Manager for the comment. Besides, defendant the letter, practically the final outpouring

THE CHINA MAIL. The Chief Justice said, the learned coun- was not sufficient that the balance be in such a matter, to get up a memorial on | plaint before you." What are "the cir- cisions led to the conclusion that there fifty deliars (\$50), and be imprisoned Colony. He would ask his Lordship to sel must connect the acts first with the pub- even; there must be more evidence the subject. Read calmly, therefore, it comstances to which alone he refers, I can be no set off of one libel against that fine be paid. I am not at all sure instruct the jury whether the first part lie capacity of the Bank Manager. The consistent with the belief that he is guilty would be seen that the speech of Mr Nel- only apawer the impudent public attack another. They could not read the I am doing right in this matter. of that letter would not have been a General at the head of his army, the Admi- of malice than that he is innocent before son did not call forth the denunciation of upon himself. Mr Pitman, I there- speech so as to balance accounts in Mr Francis asked the Court to allow reasonable, proper, and fair criticism of Mr ral in command of his fleet, the Bishop in the question could go before the jury. the defendant, and a consideration of what fore impute to Mr Pitman that in his this way; and the speech did not to explain that if during the course of Nelson's speech in the Chamber of Com. his diocese, or the Judge on the Bench, In addressing his arguments with authori- was really said would not, if left to Mr Pit- mind anger induced the letter, anger entitle the defendant to plead not guilty. trial he had seemed to be wanting in merce? The subject treated of in these were proper subjects for public criticism, ties more particularly to his Lordship with man's better judgment, have elicited such furor brevis—a strong passion excited In estimating damages that might be taken way in respect to the Court, that not two first paragraphs was one open for but their private acts were not so amenable whom the question lay, Mr Francis refer anger as was embodied in the letter. Mr by a real or supposed injury. I see into consideration; but, as Justice Black was further from his mind, and the public discussion, and if a letter written and their discussion would not be justified. red to the scheme of the no ground on which Mr Pitman's letter can burn had said, though civil and criminal oversal for the welfare of his client yen; and he hit at the spontaneity of the be treated as a privileged or protected com- proceedings were similar, even in a case carried him away so as to be guilty of His Lordship could see nothing of that document, which was the real object simed munication. The letter is therefore open where the plaintiff had committed a libel seeming want of respect, he was anxion nature in the letter. It was not marked at. It was due not only to Mr Nelson but on general grounds for you, gentlemen of greater than that complained of, the Jury apologisa. private or confidential. He had written to Mr Pitman to put it thus to the Jury, in your Judgment to decide would not be at liberty to return a verdict. The Chief Justics, bowing to Mr Francisco. many letters which had been published at | for no man wished to stand forward as mak. | whether it is or is not guilty on that ground alone. In an languingly said, that though Mr Fra once. Mr Jackson showed his appreciation ing a wanton attack on any one—that was other publication written or printed. I do section it would go greatly in mitigation of had twice flatly contradicted him, he can of its confidential nature by handing it not desirable. If the Jury would look at not as I shall presently shew approve of Mr damages. It was for the Jury to say say be only wanted to instruct the C this communication of Mr Nelson's in this Nelson's attack on Mr Pitman, but for the guilty or not guilty : the measure of punish- as to its duty ; that was all. Mr Francis: That is a publication by Mr fair way of reading now put, even then it no excuse of his anger I still less approve of ment rested where he wished it to do. His doubt wounded and rankled; but this was Mr Pitman's attack, in the dark; for any- Lordship then explained to the Jury what remarking that they had given the The Chief Justice : But the handwriting often so with public men, though it did not | thing Mr Pitman knew, Mr Jackson might | a defamatory libel was. The defendant had being proved, a publication is proved by make the comment the less fair—the result have entered on his investigation with a not pleaded any special plea, and had have come to any other conclusion. depended on the indiosyncracy of the man mind poisoned against Mr Nelson unknown thus parrowed the limits of the inquiry. Mr Francis summed up his argument thus hit. By way of defence or self-vindica- to Mr Nelson, by this letter, and every It was for the Jury to say whether the on the two portions of the letter, and tian, however, defendant need not have sent explanation of the Bank transactions might alleged libel was a libel, as, since 1792, quoted authorities which he desired a letter that was not likely to be published. have been coloured by the secret suggest every Englishman must now be convicted his Lordship particularly, to regard in There were two obvious courses which he tions in the letter. Mr Jackson; in handing only by his peers; and any one who knew framing his directions to the jury. In might have adopted—first, a letter to the the letter to Mr Nelson did what was manly English history previous to that would Mr Francis continued to urge the point Sommerville and Hawkins it was laid down | Chamber of Commerce, calling attention to | and right. I think Mr Pitman would have | know how necessary was that boon to the discussing in the Chamber of Commerce of the public acts of a public man, the head that the circumstances must be utterly the words and denying the false assertion; shewn greater magnanimity if his anger people. Upon the whole letter, taken as whether the Japanese ven should be legated of a public Institution, being a fair and inconsistent with bona fides. In Mauli and or clearing himself by writing to the newstand had allowed him to send to Mr Nelson a whole, they would have to consider lised as legal tender for this Colony, a proper subject for public discussion. He Spill, 4 Ex. L.R., it was laid down that papers, the sulject having gone before the a copy of his letter to Mr Jackson; as he whether the prosecutor had been exposed perfectly proper question for the Chamber put it that it would have been quite lawful the question of bona fides must be presum- public. Defendant, however, sends not a did not in his anger think fit to do so, it is to ridicule, hatred and contempt. Was it to discuss, and a perfectly proper question and proper for any one in the beginning of ed unless there was proof to the contrary. public but a private letter, thus indicating for you, gentlemen of the Jury, to declare a libel slandering Mr Nelson, or not? for Mr Nelson as a member of the Chamber 1879, when there was almost a panic in the The libel must not only be false but be clearly that he intended it as a counter- the letter libel or no libel on the evidence That was the only question they had to of Commerce representing the Chartered Colony in consequence of over-speculation written, the writer knowing it to be false. attack, containing as it did many serious before you. Having thus disposed of the consider, as no provocation would justify a Mercantile Bank to discuss. Mr Nelson in shares, when numbers of persons were Mr Francis next quoted the case of Can- charges. Mr Hayllar then said that the question for my decision after able argu- second libel. knew, as they all knew, as they, the jury- related, when there was very great depres- field v Whitwell (18 Law Times, 527), intimation of His Lordship on the point of ments and a reference to a library of men must know, that there was a certain sion in the Colony, when so many then in which case the plaintiff was nonsuited privilege took away the necessity of cases, I now proceed to present the case on verdict. amount of prejudice against His Excellency and in the latter part of 1878 were as no express mallace was shown. In Cook his going over that ground. His its general aspects to you, gentlemen of the the Governor of this Colony. In that pre- wrecked on that over-speculation, it would v Wise, Hart v Gumpach and other cases learned friend had most properly-(ininto which the learned Attorney entered, deed he could not quarrel with Mr Francis' course of defence, though one His Lordship, asking Mr Francis as to or two things, say perhaps that about the into four parts-the reasons for writing it, whether the managers of any of the public the sandbank Mr Pitman had raised for China Mail, had better have been left und the public acts of Mr Nelson, the private said)—alleged that by taking criminal that disastrous speculation which was sim- Mr Francis said that was consistent with, proceedings the prosecutor had done two the prosecutor was a regular trafficker in things, viz., he had shown a vindictive scale. The existence of very large and ex- circumstances were equally consistent with spirit, and he had closed the defendant's tensive over-speculation in shares was a malice and its absence. Unless there was mouth. Now one was not generally sup- that all the acts alleged of Mr Nelson were fair matter for public discussion. Every a substantial and preponderating balance of posed, when one has lost any piece of done in his public capacity. member of the general public was so far evidence of express malice, it was laid down property or an attempt has been made to Pitman back again in the Colony so that interested in this question that he was en- that his Lordship withdraw the case from carry it away, to be vindictive to call in titled to discuss it. The editor or propriet the jury and direct them to return a verdict the services of the law; and yet nothing tor of a newspaper had no more privilege of not guilty. He referred to several cases was so dear or so valuable to a man as his merce have thought of introducing a refer- in such a matter than any gentleman in the in which the writers were volunteers more character. The charge brought by Mr box or any one outside. That subject was or less, including Davis and Sneed, and Pitman against Mr Nelson was altogether subject of a series of articles. He would the mate of a ship wrote to a friend in that it involved the greatest moral a purpose to be referred to, why was have been quite justified in putting forward stating that the captain was given to drink obliquity. No doubt that part of the letter he not warned? Why attempt to iden the question whether the manager of a ing. This friend was only slightly acquaint about Mr Nelson's public conduct, had it tify him by these covert allusions? Bank should be allowed by his Directors, ed with the owner of the ship, but informed gone home, would have been regarded whether it was politic or otherwise from him of the contents of the letter and as so much rhetorical fustian; but that containing the private attacks the Directors would have been bound to notice, involving other concerns on his own account. It asking that it be not sent to the jury, as as they did high moral obliquity on the part of Mr Nelson as a servant of the Bank. It was now six o'clock and his Lordship and giving him, as they did, the worst character as a servant that could possibly be given. As to closing the mouth of the defendant, he admitted that in a general sense this to a certain extent was true. But the value of the argument depended on the nature of the charge made. Those charges which rested entirely upon the tion for fair discussion by the public, it The Judge held he had the right to roply evidence of others, how could Mr Pitman

transaction to Mr Heaton's case, which was nothing more than hearsay, there was the highest probability that Mr Fitman could was closed or not, was of no inportance, as Mr Pitman in any case could have said nothing about it. As to Mr Nelsen being "a regular trafficker in shares," Mr Pitman was neither a sharebroker nor a banker, and he could therefore have had to depend upon the evidence of others to show, by by an analysis of Mr Nelson's conduct over a long period of time, and a great variety of transactions, that the prosecutor was such a trafficker as the letter described him to be. As to this alleged trafficking interfering whether he was a dealer in those objection-

righteous decision. The Chief Justice, addressing himself firs

It has been contended with much energy privileged communication. First, that expression of censure mingled with contempt, taunting and sarcastic words; this is the accepted meaning of "gibe," and it appears to me that writing under the "gibe. most able scoffing by Mr Nelson, he hit back at the first appropriate opportunity. strike the key to the letter, anger, pugnalegal, social, or moral duty called on them; sentation from an intimate friend must and his affairs,"-he expressly says that had of Mr Heaton and the enggestion of Mr his interest and his duty, according to his was the charge of having got up the himself negatives his acting in the dis-Nelson having been a trafficker in shares to view to do so, with the belief he had in him as memorial, which might have a great charge of any public or private duty of a to the truth of what he wrote. Even if Mr variety of meanings. It did not say that legal or moral kind, by giving as his sole who takes his ground on the arens of case as in this the person before the Court Mr Francis said he submitted that they Pitman were a volunteer, even then he was the signatures were false and spurious; but reason for his charges, I should rather say were criticisms only of Mr Nelson as the in the same way protected. If he believed a man might possess that power of argu- insinuations, sgainst Mr Nelson Mr Nelson Mr Nelson in the same way protected. manager of a Chartered Bank, which he in the trath of what he stated he was ment and fuscination to induce others to some impudent public atlack upon me at potent; and that the Judge Kenyon was doing. I can hardly say clearly express malice had to be proved; it thing to do in politics, to any one interested have no alternative but to lay this com- good sense. The current of modern de- that the defendant be fined in the sum of Miramar (c.)

His Lordship continued to say that the alleged libel had been admittedly divided acts of Mr Nelson, and the statement that

Mr Francis put it that he had contended His Lordship reminded the Jury that this was so, and then proceeded to analyse it in that light. and comment upon the letter. The reason given for writing the letter was, in a word, Mr Pilman's anger. Regarding Mr Nelson as a partizan, the defendant came forward to viudicate the Government, seeing that the Government was not able to vindicate itself, from the attack in the Chamber. In His Lordship's opinion, the Government of this Colony did not require any vindication from any private individual, and was quite able to take care of Itself, but evidently Mr Pitman did not thick that this was so. Mr Hayllar, in that suave manner of which he was master, had endeavoured to show to the Jury that Mr Nelcon's speech was perfectly polite language, and that Mr Pitman ought not Jury might be perhaps inclined to accept it my duty to admit that, at the very beto have got into a passion over it. The these bland terms; but they would read the speech itself and judge of its nature for themselves. Some people were very thinskinned and could not bear the least breath of censure, while others could bear anything, however coarse or fine; but Mr Pitman, who did not seem to be made for much public warfare, felt this very kn wnothing. Whether defendant's mouth painfully. Mr Hayllar had done very wholy in confining the question to the real question at issue; and the Jury were therefore not asked to pronounce upon the statement in the second paragraph that Mr Pitman was on friendly terms with the Government. The third paragraph required the careful consideration of the Jury, and would probably receive all the more care as Mr Hayllar had disentangled it from the two first parts. The inquiry suggested regarding transactions with Heaton implied that Mr Nelson, in his deal of pain. I must say that I think this London and Colonial Papers, &c :and it was pregnant with the insinuation | cularly in a small colony like this, to something would come out of it not credit. throw upon the Judge when it can be

> beginning to end-he would look at the printed at their expense and circulated regard the Opium Farm as tolerable, and antecedent history in this Colony, was also some that it is not tolerable and that any a very serious charge. Sut you were goodone who touches it soils his fingers. Was ed greatly goaded to writing this letter. 1 It a gibe? that was for the Jury to answer, am very much inclined to regard it as re-"Intimate and friendly terms with the head | asonable that a previous libel, be allowed or of the Government in Hongkong" die, de, a set off on a priminal trial on a libel charge. The Jury would have to find what was But that is not the law. This is the covered by these words, and whether they law, that when a man is convicted of libal did or did not contain an imputation of and has had a previous libel on himself, it some kind on the defendant. He regarded becomes a matter for consideration of the Mr Nelson's speech as an able gibe. Was Court and the Court is bound, instead of give it an expression of censure mingled with ing the ordinary sentence which would be contempt? He had seldom road anything imposed were there no such dirgumstance, to

so atrougly sarcastic) Ad they may well allow the previous libel case as a set-off as androse that defendant was in a tower, it were, in the soutence. I feel sorry Talanti. ing rage. The Chamber had also, by that this line should have been taken in embodying the speech in its official this case because it is not one for imprison. report, sanctioned if not adopted it ; and the gibe rankled until Mr Jackson, the to, in which a clergyman, all sorts of things Bank Inspector, arrived. These circum- had been alleged against him, they found however, to the effect that any individual their disapproval of the verdick. In that public life ought to confine himself to the was a gentleman of position and education.

The Jury then retired to consider their

The jury returned, after an absence of about twenty minutes, and returned a una-

nimous verdict of guilty. The Chief Justice referred to the words used by Mr Francis on the previous day that there had been nothing wrong in Mr. Nelson's share transactions, either with the late Mr Heston or generally, and that there was no desire to attempt to justify, there was nothing by which they would just fy. these references. He could not but think that was a very graceful admission on the part of Mr Francis. He did not know whether the prosecution was satisfied with

Mr Hayllar said they simply put the case before the Court as a charge of gravity. The Chief Justice: If it had been a civil action it could have been damages—one farthing.

Mr Francis called the attention of his Lordship to the latter addressed by Messra Brereton and Wotton to the plaintiffs solicitor's, withdrawing the letter on which this charge was founded. The Chief Justice pointed out that this

was all in this letter.—" He withdraws the letter;" if he had said then that there was nothing to justify the insinuation complained of it would have been very different. Mr Francis: What I said yesterday goes further. I intended it to do so. I made ginning of my address to the jury. The Chief Justice: A more ample with drawal of all charges and apology words could not carry.

Mr Hayllar, after consulting with his client, said they left it in his Lordship's hands.

His Lordship said he would much rather not have it so. Mr Hayllar remarked that although there were many courses open to his Lordship, to Counsel there was only one course. He was not in a position to assist his Lordship. Mr Francis twice essayed to quote some authority to his Lordship, and was twice

told that sometimes wisdom lay in silence. Mr Pitman having been called upon to stand up, The Chief Justice addressing him said:— I have considered this case with a good capacity as Bank Manager, had done some- | case should have been tried as a civil thing which required to be inquired into, action. I do think it is not right, partiable to Mr Nelson. That was a charge avoided the task of assessing damages in a which it would be for the Jury to say was case like this, for that is what deciding the or was not libellous. They would put degree of punishment comes to, for lam sure themselves in the place of Mr Nelson, as if Mr Hayllar does not seek for imprisonment. they were the servants of a Company, and I think that not only here, but elsewhere. say whether the tendency of the statement | that the libels which form the subject of was or was not to damage Mr N.'s position | criminal proceedings should be those only as a servant. Mr Nelson was the agent of in which there are slanderous attacks the Directors in London, and it was made on persons in high position or which against him as a servant of that Board, scandalously affect public sopinion and because he was such servant. Mr | these must necessarily be in the nature of Francis had ingeniously put it that this criminal proceedings, but when they are was stated because Mr Nelson held a public ordinary defamatory libels criminal proposition; but that was of course subject to | ceedings are out of place. The prosecuthe opinion of the Jury on the point, tion for libel is not vindictive. After When it was alleged that this was done | what has been said Mr Pitman cannot not when Mr Heaton was on the "eve of his say that his mouth has been shut. He embarrasament," that seemed reasonably through his Counsel yesterday, gave M to point to the suggestion that damage | Nelson credit for having done nothing which had been done to the general body of would justify the insinuation complained of Feb. creditors; but it was for the Jury to say in the letter. I look on this as an mission whother or not this suggestion was pregnant | which is unvaluable to you and should with that insinuation. The allegation that | be eatisfactory to the prosecution. I must Mr Nelson was "a regular trafficker in say, Mr Pitman, that had that letter been shares." was rather vague; and the Jury | written by you without the cause which you would have to nut a meaning on it : was it | set forth, and refer to in these two passages to his credit or not? And the point raised, had this letter been sent spontaneously whether Mr Nelson was "able to devote by you as a charge against Mr Nelson. his undivided attention to the interests of A should have passed the severest. the the Bank," was also for the Jury to con- most strong punishment in my power strue. A trafficker was different from a under the indictment before me This trader in that a trader might invest his species of libel which could not be sup money for years in shares and other ported by truth or fact shows a malignant concerns: while a trafficker—the word | mind which should be curbed in some way "traffic," as street traffic, had a busy There is a great deal too much of that signification—would frequently buy and species of libel in all society and not frequently sell, and had a special signific- less in this Colony; han in some others. ance in view of the past experience in this But when you say that wincing under this Colony. The defendant had pleaded not gibe, under the pain caused you by Mr gully; and (His Lordship continued) as the Nelson in this speech which has been etter itself showed the grievous wrong published and now appears in the official under which the defendant suffered which, report of the proceedings and in the book in fact was referred to in the letter from of the Chamber of Commerce, which i Chamber of Commerce report. The Cham- | them, it being thus interrable that the ber was the most important body in the Committee have adopted or approved Colony, and had deservedly great influence of it, I can quite understand that both here and at Home. What did they you as a gentleman having commercial infind? "I learn from Chinese courses that terests should feel that very severely inthe memorial which was presented the other | deed, nor do I wonder that you should lose day was got up by a gentleman rather well | that proper reatraint over yourself which known in the Colony." He read sarcasm in every man should have. The charge havthe word "rather." "Who is in the em- ing reference to Mr Nelson's dealings was ploy of the Japanese Government"-what of the most grave kind, it insinuated a great

His Lordship then dismissed the jus great attention and that they could

Cersions adjourned. Quotations. Hongroup June 9. IUM.—New Patna, cash....4643 Old , cash,... 640 New Benares, cash, 5974 cash. ---New Malwa, gredit, 750 a 7 Allowance, Teels 12. Old Malwa, oredit, --Exchange

Bank, Wire 30 days' sight, 4 months' sight. Credits, 4 ,, Documentary, 4 months' sight, 8/101 India, Wire,... ... 2241 demand ... 225 Shanghal, demand, ... 80 daya' sight, ... Gold Leaf, 90; fine ... 27.40 Sovereigns, ... Shares.

Hongkong Bank, 58 % prem, buyers. Union Inc. Soc. of C'ton, \$1,425 per she China Traders' Ins. Co., \$1,450 per she North China Ins. Co., Tla. 1,075 per she Yangtare Ins. Assoc., Tls. 725 per sha Chinese ins. Co., \$297 per share, sales H. K. Fire Ins. Co., \$840 per share. Ohina Fire Ins. Co., \$230 per share. H.K. & W. Dock Co., 5 % prem. H.K.C. M. S.-boat Co., \$24 prem, sales. Shanghai Steam Navigation, Tla. 5 per China Coast St. Nav. Co., Tis. 100 per Hongkong Gas Co., \$80 per share. Hongkong Hotel Co., \$69 per s., buyer Ohina Sugar Refining Co., \$159 per sha

Ohirese Imperial Loan of 1874, nomin of 1877, Temperature.

Taken at Messrs Falconer & Co.'s Premis Queen's Road.) - Honskong, June 9. HEBOMETER- 9 A.M.... ... 29.890 1 P.M... & P.M. ... 29.846 HERMOMETER-9 A.M.... 1 P.M.... 4 P.M.,.. Do. (Wet bulb) 9 a.m. 82 1 P.M. Do. 4 P. M. Do. Maximum ... Do. Minimum over night

Shipping Intelligence. The following is corrected from the late VESSELS TO ARRIVE. AT HOYGEONG.

Left. Name. Penarth Antwerp 17. Coldstream. Flushing Antwerp Hamburg 10. Apple W. Weston. New York 29. James Shepherd, Cardiff New York London Cardiff Antwerd Cardiff Antwern 17. Valley Forge, Cardiff 19. Rossini, Cardiff Cardiff Flushing 24, General Fairchild 25. Highmoor. Antwerp 1. Humber. Cardiff 5. Helen Marion, Cardiff 5. Angenor, 5. Prince Amadeo. Ponarth 3. Constans. Penarth Marie Lonise. Cardiff 9. Lasker, Cardiff Cardiff 12. Ricca Genova. Lordon 12, Raphael. Cardiff L'a. Elise. Cardiff

Penarth 6. Conquerer. Antworp 7. Rosie Welt. London 8. Carricks. 9. Johanna. Hamburg io. South American Penarth Nostle, v.s. w 15. William Turner. Nostle, 2.8.W 15. William Manson. Cardiff Leith London 25. San Josquim, Aniwern Cardiff Penarth 28. Reina Mercedes (a.)

25, U. A. Littlefield

30, Emma T. Crowell.

XI, Auftern (c.)

30, Atalanta (c.)

Penarth

Liverpool

Hamburg

Cardiff

N'castle, n.s.w

Glaniffer. lordon Carle. Bailing Peure's. At Licerpool.

ment. In a case which has been referred Gistious (a.) at Newmanie, N.S. H Biscksdden Florence Nightingale At Hamburg. At Antwerp. At Glascow